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# ENGLISH CITIZENSHIP

FORMERLY ENTITLED

## A PRIMER OF ENGLISH CITIZENSHIP

BY

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FORMERLY HEADMASTER OF THE GRAMMAR SCHOOL, ILKLEY.

*Author of  
"A Primer of London Citizenship"*

*REVISED AND ENLARGED EDITION*

"I call a complete and generous education that which fits a man to perform justly, skilfully, and magnanimously, all the offices, both private and public, of peace and war."—*Milton*.

LONGMANS, GREEN AND CO.

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## PREFACE TO THE REVISED AND ENLARGED EDITION

THE sole object of the author when putting forth this book in 1913 was to furnish for the use of the older pupils in our schools an easily intelligible account of those civic institutions of our country with which, on their entrance into the work-a-day world, they would soon be brought into direct contact; also to hold out an ideal to which they should seek to attain in the discharge of their duties as citizens.

The book has however found wider acceptance than was anticipated, and has been largely used in study circles, in training colleges, in the educational classes held for soldiers on service, also by social workers, and not least by many women who, since their endowment with the parliamentary vote and other attributes of citizenship, have desired to equip themselves with a general knowledge of the working of our system of imperial and local government.

Few if any of our national institutions have emerged unchanged from the ordeal of the Great War. A complete revision of these chapters in which those institutions are described, had therefore become necessary. In the course of this process opportunity has been taken to provide for the wants of those mature readers to whom reference has been made.

On their behalf, and with a view to paving the way for a deeper study of present-day problems, considerable additions have been made to several of the chapters. This has been done without in any way disturbing the original plan and purpose of the work. In order to differentiate the passages addressed to more advanced students from the rest of the text, they have been set in somewhat smaller type, and may thus be judiciously omitted on a first reading of the book, or altogether by younger scholars.

By reason of the many unique features in the local government of London, and in response to a request from London teachers for its inclusion, a new chapter has been added under the title of "London and Londoners."

There is no finality in citizenship. It is a living, ever-expanding ideal which knows no limit. Hence gradual changes in our laws and institutions are always proceeding in the hope of bringing them into ever closer harmony with that ideal. To enable the reader to note those changes as and when they occur, a few blank pages have been left at the end of the book. An Index has now also been appended.

My sincere thanks are again due to friends upon whose expert knowledge I have been allowed to draw and to whose helpful criticism I owe much in the preparation of this enlarged edition. In particular I am indebted to Rear-Admiral Hugh Sinclair, C.B., and Lt.-Colonel A. J. H. Byrne, who have repeated the kindly services they rendered me ten years ago in reading my MS. Also I tender my best thanks to Lt.-Colonel L. N. Thornton, C.M.G., D.S.O., Director of Military Studies in the University of Cambridge; Dr. William Garnett, late of the Education Department of the London County Council; George H. Hume, Esq., M.P., Alderman of the London County Council; J. R. Hambridge, Esq., Education Secretary for Beckenham; and to (the late) Sir Laurence Gomme, the learned Clerk to the London County Council, in grateful memory of all the generous help he gave me in past years when writing on London Government.

While thus acknowledging their invaluable assistance, it must be clearly understood that the writer alone is responsible for all errors; any corrections of which will be gladly received.

F. S.

5 FIG TREE COURT,  
THE TEMPLE,  
LONDON,  
*1st of May, 1923*

#### N.B.—CHANGE OF TITLE

Having regard to the enlarged scope of this book it has been deemed advisable by the Publishers to withdraw the possibly misleading designation of "Primer" which has hitherto been applied to the work, and issue it henceforth under the abbreviated title of "ENGLISH CITIZENSHIP."

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## CHAPTER I

### *HIS MAJESTY THE KING*

#### THE LOYAL TOAST

WHENEVER and wherever British subjects assemble together at political meetings, whether in the Homeland or in the remotest corner of the Colonies, it is a very usual custom before separating to join together in singing the National Anthem—"God save the King."

At every public banquet also, even in the most distant portion of the Empire, it would be looked upon as a strange and discourteous thing were the loyal toast of "The King" for any reason omitted. Upon all such hospitable occasions, it is usual for the Chairman to bid the guests fill their glasses, and to propose in a few simple words the health of His Majesty. Every one then rises to his feet and drinks the toast with hearty acclamation. When speaking of this ancient custom let us remember that His late Majesty, King Edward VII., ever thoughtful of his people, caused it to be made known that he would feel himself just as truly honoured were the loyal toast taken in water, thus removing for all time a difficulty felt by many total abstainers.

In rendering our homage to the Sovereign in this quaint and time-honoured fashion, we are not only expressing our allegiance to his person, but we are also emphasising the fact that the "Crown" is the coping stone of the whole fabric of the Constitution. By the Constitution is meant that elaborate system of institutions, laws, and customs under which we live and by which we are governed. In drinking the health of the King, we are acknowledging him as the head of the State, and therefore its greatest and most important servant.

You have learnt in your histories that the English King

no longer wields the despotic powers that he possessed in times long past, but that he occupies the Throne and rules in accordance with the will of the people as expressed in the laws made by Parliament.

#### AUTOCRACY AND DEMOCRACY

A ruler whose will is law is called an autocrat, and the government of his country is spoken of as an autocracy. Where, however, a country is governed by laws made in an assembly to which the people send representatives, where in short you find "government of the people, for the people, by the people," there you have a pure democracy (from the Greek word *demos*, meaning the people). Our Government is not a pure democracy, because, although the King is no longer a law-giver, he still has certain powers of which we shall shortly speak. They are not very great. Little by little Parliament has placed checks and limits upon the "prerogative" of the Crown until it may now be said that the King "reigns but does not rule." You ought to read in your English History how the long struggle against absolute monarchy was continued for centuries, beginning with the list of concessions, embodied in the Magna Charta, wrung from King John. This document, which has been described as "the Keystone of English Liberty," was the first actual limitation of the Royal Prerogative. Inch by inch the powers, rights, and prerogatives of the Crown have been curtailed, until to-day there remains little but their outward form. It is true that the Acts of Parliament still require the Royal Assent, before they become Law (p. 37). We know, however, that the King never refuses his assent when Parliament desires it. We still also speak of the King "summoning Parliament" or "dissolving" it, but again we know that he does these things upon the advice of his Ministers. And although the King still possesses beyond doubt the right to dismiss Parliament when he pleases, and to declare war upon a foreign nation, and to pardon any criminal, yet we know full well that the Sovereign never exercises these prerogatives except under the advice of his Ministers.

Indeed, much trouble and disorder would arise were the King of his own authority to summon and dissolve Parliament after the abrupt manner of Charles I., or were he to declare war upon some other nation without first consulting his Ministers.

**LIMITED MONARCHY**

You see, therefore, that the Monarch of this Realm has been hedged about with many restrictions so that his powers, though very great in name, are really very limited. That, then, is the reason why we speak of our Government as a "limited Monarchy," and the King as a "Constitutional Monarch." And since the King cannot rule just as he pleases, but must act in all public concerns as his Ministers advise, it follows that he must not be blamed if such Acts are displeasing to the people. The Ministry alone is responsible. The people can show their displeasure by turning the Ministers out at the next General Election. The King knows no party. The King is nowadays raised quite above party strife. He is neither Whig nor Tory, Liberal nor Conservative. It was not always thus. But during and since Queen Victoria's long reign, our Sovereigns have, with great wisdom, shown no bias to the one side or the other in politics, and it is now an accepted rule that the Crown must not be drawn into the arena of political warfare. This impartial attitude of the Ruling Monarch enables all of us, whatever our particular shade of political opinion, to bury our differences, and unite in loyal adherence to the Throne. This it is, too, that enables every one to join with utmost cordiality in drinking to the health of "His Majesty, the King."

You may now perhaps begin to ask what remnant of power is still left to our Sovereign, if he is obliged always to act in accordance with the advice of his Ministers. Some people will go so far as to tell you that we might just as well have a Republic, like France or America, with no King at all, as have one whose prerogatives have been reduced until they are almost annihilated. There are, however, very many great advantages in retaining a permanent even though nominal head of the Government, in whose name all the business of the State is transacted, and who stands above and outside the party conflict. It provides a check upon the inordinate ambition of any prominent politician.

The mere existence of a ruler even with nominal powers only, renders it impossible in our country for any man to attain a position of undue influence. That is a fact of which you may have thought little, but is nevertheless of great

importance. There are many other good reasons which you may think out for yourself, for retaining a Sovereign with prerogatives rarely used, but still existing.

### ONE KING, ONE FLAG

The fact that the same flag floats over us all, and that the same King rules over every part of the Empire, is a thought very dear to loyal citizens in the Colonies and Dominions beyond the Seas. No temporary President could ever fill the same place in the heart and imagination of those who dwell far away from England, as that occupied by a Sovereign whose ancestors have for ages held the throne. Each of us is governed, to some extent, by sentiment, and our feelings of deep loyalty and reverence could never be the same towards some fellow-citizen, however distinguished, who for a short space of time was holding the foremost position in the State. The King, therefore, as the hereditary monarch, provides in his person a visible bond between British subjects all the world over, a bond that will never be broken as long as we are fortunate enough to have such admirable wearers of the Crown as the great and good Queen Victoria, King Edward VII. and Queen Alexandra, and their present Majesties, King George and Queen Mary.

### REPRESENTING THE NATION

It is because the Sovereign embodies in his own person all the attributes of the State that he can on great ceremonial occasions represent the Nation in a manner that would be quite impossible for an uncrowned head. The Sovereign is so far lifted above all other men by his high hereditary rank that he can be invested with social power which it would be difficult to entrust to an ordinary citizen or to the temporary President of a Republic. It was in his capacity as the representative of the whole Empire that King George appeared at the great Durbar at Delhi, in December, 1911, where he received the homage of the Native Princes of India. The King, on that impressive occasion, in reality personified the objects and aims of British rule in India.

When also the Sovereign makes visits of ceremony to the monarchs of other countries, he goes not simply as an illustrious

private person, but as the ambassador of the whole nation, to convey to the foreign ruler the goodwill of the inhabitants of this country. That in itself is a great office, which it is well should be performed by one who is above party ties, and beyond the reach of party politics. The more you think of this the more you will realise the value of the kingly office in our relations with foreign countries.<sup>1</sup>

### THE PREROGATIVE OF MERCY

Coming back once more to the powers that are still inherent in the Sovereign, we find that the King holds in his hands what is known as the "prerogative of mercy." There is no criminal so vile or base that the King could not pardon him. At time of great national rejoicing, it is customary for the King to display his clemency by releasing some prisoners and by shortening the sentences of others. But even in these cases, although the King could do all this of his own authority, he usually seeks the advice of his Ministers before exercising this truly Royal prerogative.

### SOCIAL INFLUENCE OF THE THRONE

There is another inalienable prerogative of the Crown, unlimited by statute, and often abused in times past. We refer, of course, to the moral influence which the Sovereign can exercise upon his people by setting an example to the whole of Society of right living and right doing. Fortunate it is that for nearly a century the weight of the Throne has ever been cast on the side of what is good. That it may be always thus is the fervent wish of each of us when we raise our glass to the loyal toast of "The King."

### THE FOUNTAIN OF HONOUR

"The King is the Fountain of Honour." By this is meant that he is able to bestow any title or other honorific distinction upon any of his subjects. He could—if so he desired—raise

<sup>1</sup> We have seen also how admirably the function of "Ambassador of the Empire" has been performed by H.R.H. the Prince of Wales in his recent visits to the Dominions Beyond the Seas, India, Japan, and elsewhere.

a dustman to the rank of a duke. This power of granting titles of nobility or of lower rank, is the greatest prerogative of our Sovereign. By this means he rewards the statesmen and other servants of their country, to whom monetary rewards could not, and should not be offered as recompense. There are—as you will soon learn, if you do not already know it—services which every citizen may render to the community, which cannot be valued in pounds, shillings, and pence. The best work in this world is not that which is done for money. Upon men and women who have performed some act of heroism, or rendered great public service, the Sovereign often confers some distinction, such as an order, or title, or medal. Even in the bestowal of honours the Sovereign usually acts on the advice of his Ministers. Unhappily in recent times instances are not uncommon where the possession of great wealth or lavish contributions to the funds of a political party appear to be regarded as a sufficient qualification for the award of a title. An inquiry into the methods by which recommendations for Honours are made to His Majesty has been instituted, and it is to be hoped that in the future the rightful use of this royal prerogative will be rigorously safeguarded ; for whenever the Sovereign is asked by a Prime Minister to confer a title, we all ought to feel that the honour has fallen on one to whom honour is really due.

#### **QUESTIONS FOR DISCUSSION AND RESEARCH**

1. What is an " oligarchy " and what a " bureaucracy " ?
2. Give some explanation of the legal maxim that " the King can do no wrong."
3. Point out in English History instances of the limiting of the Royal prerogative.
4. Name the countries in Europe that have an autocratic form of Government, also those in both hemispheres that are Republican in form.
5. Give instances of political bias displayed by modern sovereigns with special reference to Anne and George III.
6. Cite instances of public service for which money could be no reward.
7. Discuss in what manner loyalty can be displayed in a Republican State.
8. How would you provide for the award of honours under a Republican form of Government ?
9. Should titles be hereditary ?

## CHAPTER II

### *PARLIAMENT*

#### THE GENERAL ELECTION

MOST of you will remember the last election, and the stir and turmoil with which it was attended. For weeks beforehand the rival candidates had been addressing meetings in your neighbourhood, sometimes in public halls and sometimes out of doors and at street corners. Then came the actual day of the election. You will recall the scene outside the polling booth or station, with all its fuss and bustle. You saw large placards stating that this was the polling station for such a district, and, no doubt, you recollect how the carriages and motor-cars came dashing up and discharging their load of voters, who then disappeared within the station by one door, and after a little time reappeared at another. Perhaps you noticed that the voters often wore party colours or favours, red, blue, or orange, as the case might be.

During the course of the day the candidates themselves may have driven up to learn how things were going on. Then you must have heard how their supporters cheered them lustily, whilst their opponents perhaps "boo-ed" or made some other sign of disapproval. These are common incidents at election times when party feeling runs high, and when even undemonstrative people often become quite excited and boisterous; you may have noted also a few men around the entrance, very busily engaged in asking the voter his number which they promptly jot down in a notebook. Perhaps you saw that at intervals, messengers were sent with lists of these numbers to the "Committee Rooms" so that the canvassers may know who have voted, and who must still be hunted up and brought to the poll. For, as you no doubt observed on that memorable occasion, temporary offices were taken here and there in the town for the purposes of the election. These

offices are the "Committee Rooms" of the candidates. They are occupied by the busy and eager canvassers and other voluntary workers who take upon themselves many voluntary services, especially that of bringing up the laggards who might otherwise either forget or neglect to register their votes. Naturally the workers at the Conservative Committee Rooms are Conservatives, and those at the Liberal Committee Rooms are Liberals.

¶ And so the "fight" goes on all day from 7 a.m. until 9 p.m.,<sup>1</sup> when at the stroke of the clock the doors of the polling station are closed, and the man who arrives a moment afterwards—and there is generally a late-comer—is received with jeering laughter by the crowd, as being just too late to record his vote!

#### THE POLLING STATION

Let us take a look inside the polling station or "booth" as it used to be called. It may happen that your own school was used for the purpose of a polling station, in which case you got a holiday, and therefore remember the event very clearly. One of the rooms is arranged with a central table, at which some clerks are sitting, and upon which is a big box strongly padlocked. It has a slit in the lid! This is the ballot box. Round the walls are roughly constructed compartments provided with a ledge or shelf, and with a pencil attached to a string or chain. One or two policemen are always present to see that strict order is kept, and that no one attempts to open or destroy the ballot box or its contents. As the voters enter they are directed, one by one, to the table where the clerk sits. He asks them their name and address. Having satisfied himself that their names are in the list of voters, the clerk hands to each man a slip of paper upon which are printed the names of the candidates in alphabetical order. The voter then retires into one of the compartments and puts a X against the name of the candidate whom he wishes to send to Parliament. The paper is then folded up tightly, so that no one can see where the X has been placed, and the voter returns to the table and slips his paper through the slit in the ballot box. He then at once leaves the room by another door, and

<sup>1</sup> Extended from 8 a.m. to 8 p.m. by the Extension of Polling Hours Act, 1913

goes back to his work or his home. He has duly exercised his right and duty as a citizen in voting at a parliamentary election.

#### COUNTING THE VOTES

At 9 o'clock in the evening the voting stops, and the ballot box, laden with its papers, is carried to some central place, usually the Town Hall. The police generally accompany the box to its destination so as to protect it from any chance of being lost or tampered with. At the Town Hall, awaiting the arrival of the ballot boxes, are a number of important officials—the Mayor (or the High Sheriff, if it is a county election), the Town Clerk, and a staff of enumerators to count the votes. As soon as the last of the ballot boxes has arrived from the furthest polling station the doors are locked and the counting begins.

The ballot boxes are opened and the papers shaken out upon a big table. They are carefully sorted, and the number of votes for each candidate counted and checked with great accuracy. Ultimately it is discovered that one of the candidates has more votes than the other. If the candidates "tie" the "Returning Officer," *i.e.* the Mayor (or Sheriff), gives a "casting vote."

#### DECLARATION OF THE POLL

When the exact numbers have been ascertained, the Mayor, attended by the candidates, advances to a window overlooking the street, in which by this time a vast crowd is sure to have gathered. In a loud voice he declares that Mr. —— has obtained a majority of votes, and is therefore returned to Parliament as member for that constituency. The successful candidate, amid the frantic cheering of his supporters, thanks the voters for the honour they have done him in giving him the majority of votes, and assures them that he will try his best to serve his country and his constituents when he goes to the Parliament House. He also proposes a vote of thanks to the Mayor (or Sheriff) for all the trouble he has taken as "Returning Officer," in making all the arrangements for the polling and counting of the votes.

The defeated candidate also says a few words, and if the 'fight' has been fair and square as it should always be, the

victorious and the vanquished candidates shake hands in front of the whole audience. This is a good English custom which we should all try to maintain.

There is no dishonour in being beaten in a fair fight, and whether it is in football or cricket or in politics, an honest rivalry should not be allowed to embitter personal relations. It is the part of a good citizen to learn how to accept a defeat as well as to enjoy a victory. Avoid small and mean personalities, refrain from abusive epithets, learn to argue coolly and clearly, give your opponent the credit for being as sincere in his beliefs as you are in yours, and you will earn the respect of those who differ from you. A calmly uttered statement of your political views carries far more weight with your hearers than hot words and loud bluster.

#### SECRET VOTING. THE BALLOT

We may here note one or two things about the election. Firstly the voting was performed in a secret manner, or by "ballot." The compartment into which the voter retired was so constructed that no one could watch how he marked his paper ; and he folded it up so tightly that no one could see the mark when he dropped it into the ballot box. And when once it is in the box no one could tell it from any one else's paper. *The ballot is secret*, and the reason why we have adopted in Great Britain and Ireland this secret method of voting, is because it gives every man freedom to express his real opinion at the critical moment of voting, without any fear of being treated harshly by his employers or others who might hold different views. It was only in 1872 that secret voting was introduced into our land. Before that time the voter had to declare in public at the "hustings" or open platform, the name of the candidate for whom he voted. It took both moral and physical courage to go through this ordeal. It required moral courage, because an employer might threaten to deprive his men of their situations if they voted against his wishes. A man would, therefore, often vote against his convictions under fear of losing his livelihood. Again, it required physical courage to vote for an unpopular candidate, for the mob round the hustings were not content simply to hurl abuse at the voter, but would often throw missiles at him. The present system of voting by ballot is a great advance upon the bad old order of

things, which lent itself to much bribery and corruption. Votes were bought and sold quite openly, and the candidate with the longest purse would generally succeed in being elected. There exists still, no doubt, a small amount of bribery, but it is ineffective. Even if a man takes a bribe and promises to vote "the right way," it is impossible for the person who paid him to follow him into the polling booth, and see that he keeps his promise. This is one of the advantages of the ballot. It has made bribery useless.

### WHO ARE THE VOTERS ?

You may perhaps have asked yourselves: "Who are these voters, and how did they get the right to vote?" That is a very proper question, and one which you will some day answer for yourself. Meanwhile you can remember this, that every male person of over 21 years of age who has resided in the same place for six months ending December 15 or June 15, or who has occupied land or premises of £10 annual value (such as a shop or office) for the same period, is entitled to be put on the Parliamentary Register—that is, on the official list of those who may vote at a Parliamentary Election.

Male graduates of a University if of 21 years of age have also a vote for their University Member. This is in addition to any vote they may have in any other constituency. Thus it is now possible for a man to vote in two constituencies, but not in more than two.

### WOMEN AND THE VOTE

At the General Election in December, 1918, for the first time in our nation's history women exercised the Parliamentary "franchise." For several years women householders had possessed the right of voting for Town or County Councillors, but *not* for Members of Parliament. Why therefore should they not also have a voice in choosing the nation's rulers? Many women paid both rates and taxes and claimed that they had just as good right as male taxpayers in deciding how their country's affairs should be managed.

For a long time Parliament resisted these claims, but after the Great War had demonstrated the ability of women to

take up and perform efficiently many forms of work that were previously thought to be only fit for men, it was impossible any longer to disqualify them for the parliamentary franchise merely on the ground of sex. Thus it came about that in the last year of the Great War two very important laws were enacted by Parliament.

The first<sup>1</sup> is one of the shortest Acts known, consisting of these few words :—"A woman shall not be disqualified by sex or marriage for being elected to or sitting or voting as a member of the Commons House of Parliament."

The second Act,<sup>2</sup> which is a very long one, extends the parliamentary vote (or "franchise" as it is often called) to some women. Thus, as the law now stands, a woman who has attained the age of 30 years and who (in the same way as a man) has occupied a dwelling-house or land or business premises for the necessary period, is entitled to the vote ; or, if married and her husband is entitled to vote at a Parliamentary election, she too may be put on the Register.

A woman over 30 who is a graduate of a University, is also entitled to vote for the University Member. This is in addition to any vote she may have in any other constituency.

[You will have noticed that the Parliamentary franchise is not extended to all women of full age on the same terms as to men. Why should this be so? The answer is that the number of women in this country is greater than the number of men. To give every woman of 21 the Parliamentary Vote on the same terms as to men would mean that the women—being in the majority—would, theoretically, be able to outvote the men on whom the defence and maintenance of the industry and commerce of the country chiefly depend. Parliament therefore, when in 1918 it first conferred the parliamentary franchise on women, placed limitations on the number of women voters, chiefly with the object of watching the result of this great departure from previous practice.<sup>3</sup> Though women do not, as yet, seem to avail themselves of the privilege of the vote as fully as was expected, there appears no reason to think they will use the franchise any less wisely than their fathers and brothers. You may expect to hear, therefore, in the future of a demand for women to be placed upon exactly the same footing as men in respect to the franchise.]

<sup>1</sup> Parliamentary (Qualification of Women) Act, 1918.

<sup>2</sup> Representation of the People Act, 1918.

<sup>3</sup> Even with the extension of the franchise to this limited number of women the electorate was raised from about 13 to 20 million voters.

## THE REGISTER

For a very long time the preparation of the Register (*i.e.* the list of voters) was entrusted to the Overseers of the Poor, about whom we shall learn more in a later chapter. This duty is now cast by the afore-mentioned Act upon the Town Clerk in a borough or upon the Clerk to the County Council outside the borough. Sometimes difficult questions arise as to whether a person is or is not entitled to vote. To settle matters of this nature the County Court Judge (or if the Judge is too busy, a "Revising Barrister" appointed in his place) is empowered to hear the claims and objections, and to decide the question. If any would-be elector is struck off the Register, or is not placed upon it when he thinks he has a right thereto, and is dissatisfied with the decision of the County Court Judge (or Revising Barrister), he can appeal to the High Court in London, about which you will learn more in the chapter on *Courts and Judges*.

## QUESTIONS FOR DISCUSSION AND RESEARCH

1. What are By-Elections ? When do they occur ?
  2. Should canvassing be abolished ?
  3. Give examples of the way in which candidates sometimes seek to influence voters without resorting to actual bribery.
  4. Is it ever good citizenship to abstain from voting ?
  5. Who was the first woman M.P. ? What was her constituency ?
  6. What is meant by Plural Voting ? How far has it been abolished ?
- Discuss the questions of "one man one vote," and "one vote one value."
7. How far does the election of a town councillor differ in procedure from that of an M.P. ?
  8. Who is the M.P. for your town or division ?
  9. Define and distinguish between the terms, elector and electorate ; constituent and constituency.
  10. How far is it practicable to "Vote for Measures not Men" ?
  11. What do you know about "Proportional Representation" ?

## CHAPTER III

### *PARLIAMENT (Continued)*

#### APPOINTING MINISTERS

AND now let us suppose that a general election is over, and that your favourite party is in the majority, and that the whole of the Members are waiting to take their seats in the House of Commons. For two or three weeks the country has been in a state of turmoil, and people are anxious to settle down again to their business which in many cases has been upset by the feverish unrest. In fact, so disturbing is a general election to the trade and commerce of the country, that it has been suggested by important leaders of industry that it would be well to have all the elections on the same day, and you may live to see this accomplished.<sup>1</sup>

We next read in the newspapers that the King has sent for the leader of the successful party, and asked him to become Prime Minister, and to "form a Ministry"—that is, to choose the men who are to occupy the great Offices of the State. There are many of these great offices to be filled. It would be too long to name them all, but you must know something about some of them. There is, to begin with, the office of the First Lord of the Treasury. The Prime Minister usually takes that for himself. The actual administrative work of the office is done by the Under-Secretaries and subordinates, so as to allow the Prime Minister time for the many other affairs that claim his attention.

#### THE PRIME MINISTER

The Prime Minister is nowadays usually chosen from among the leaders of the House of Commons. There is nothing

<sup>1</sup> This has now been effected under the Representation of the People Act of 1918, which provides that all polls must be held on one day.

to prevent a Peer from holding this office, and very many Prime Ministers of the past have belonged to the House of Lords. But as the country has become more and more democratic, and as the greater part of the political fighting over any new measure takes place in the Commons, it is thought best to select a member of the Lower House for that high office.

The Prime Minister has a very laborious post. He is at the helm of the Ship of State, and is responsible for all measures submitted to Parliament. He is in constant communication with the King, in whose name all the affairs of the State are transacted, and who naturally wishes to know of everything that takes place, and the reasons that actuate His Majesty's Ministers in any policy they decide to adopt. The Prime Minister has also to make frequent public speeches to his supporters explaining the measures that his party propose to pass into law. At night he must be in his place in Parliament to take part in the debates. He must be a skilful and persuasive speaker, for upon critical occasions he may find that some of his own party are inclined to be rebellious and want him to act differently. Thus a Prime Minister has during the whole of his period of office, a heavy load of responsibility. For the time being, he is virtually the ruler of the country, although, as you have already learnt, he does nothing in his own name, but always in the name of the King, or "with the authority of the Crown."

#### THE FOREIGN MINISTER

Next in importance to the Prime Minister comes the "Foreign Minister," or to give him his full title, "the Secretary of State for Foreign Affairs." He is responsible for the relations and dealings of our Government with foreign Governments, and were he not both tactful and careful he might involve us in war with another State. No one in the Ministry has greater powers for good or ill than the Foreign Minister. He is in constant communication with the foreign ambassadors.

Every civilised country appoints Ambassadors or Envoys—usually men of high social standing and wide experience in political affairs—to represent their State in other lands. In London, you will find ambassadors from every civilised nation. Similarly, you will find His Britannic Majesty's ambassadors

in Paris, Berlin, Vienna, Constantinople, Washington, and elsewhere. The Foreign Minister is in touch with these gentlemen, and if any dispute arises between us and another country—say, for instance, with America—the American ambassador and our Foreign Minister will try to settle the difference peaceably. If, however, they are quite unable to adjust the matter by peaceful negotiations between the countries which they respectively represent, the dispute might have to be determined by force of arms. And that is the last thing to be desired. Men of goodwill among all nations have therefore agreed to try the peaceful method of “Arbitration.”

#### INTERNATIONAL ARBITRATION

In recent times many troubles which formerly would have led to war have been settled by “Arbitration.” There is now a Court which holds its meetings at The Hague in Holland for this very purpose. It was established in 1899, and is composed of very eminent judges of all nationalities. If two countries have a dispute, they need not now fight over it, but may agree to submit their quarrel to the Hague Convention, and abide by the decision of the judges. Already many such difficulties have been solved by this International Court of Arbitration.

#### THE LEAGUE OF NATIONS

[If you will read the detailed history of those fateful days—July 23 to August 4—preceding the entry of England into the Great War, you will find how earnestly and persistently our Foreign Minister<sup>1</sup> strove to bring about a Conference of the Great Powers to discuss the differences between Serbia and Austria, and to settle them if possible without bloodshed. But the “Central Powers” did not respond to these peaceable overtures. The whole attitude of Germany from the first Hague Conference onwards, her consistent refusal of all restrictions of naval or military armaments, her opposition to the formation of a court of compulsory arbitration, her gigantic expenditure upon her ever-increasing land and naval forces, and the tolerance, and even approval, by her Emperor and people of the warlike utterances of her militarists, all seemed to show that Germany had reckoned on a European war and was resolved to bring it about at the moment most favourable to herself. Thus our statesmen laboured for Peace in vain.

<sup>1</sup> Sir Edward (now Viscount) Grey.

Now that the Great War is over and the nations have learned through terrible suffering the misery and futility of war, it is hoped that before resorting to armed force, they will be induced to submit even the gravest questions involving the national honour or the "territorial integrity" of a country to the Court, established by the League of Nations, of which more hereafter.]

From what you have just read you will see how serious are the duties and responsibilities of the Minister who carries out the "foreign policy" of the Government, and how needful it is, therefore, for the King, under the advice of the Prime Minister, to choose for this office a man whom *both* parties can trust. In negotiating with foreign countries we ought to be neither Liberals nor Conservatives. The good of the State should be the first thought, and should be placed above all party considerations.

#### CHANCELLOR OF THE EXCHEQUER

Next in importance to the Office of Foreign Secretary comes that of the Chancellor of the Exchequer. This Minister is usually chosen because of his skill in dealing with intricate questions of business and finance, inasmuch as he "holds the purse-strings" of the nation. The Chancellor of the Exchequer controls the national expenditure, and (of course with the approval of his colleagues), decides what amount of money shall be spent upon the Navy, the Army, Education, and so forth. Money must be raised for interest on and re-payment of the nation's debts, for Education, for ex-Service men's and Old Age Pensions, for Insurance of Workmen against Sickness and Unemployment, and for very many other objects, such as for the salaries of the Judges and of Members of Parliament. To get this money, or "Revenue" as it is called, the Chancellor of the Exchequer depends upon the taxes, of which you will learn more in a future chapter. Every year—generally in April—the Chancellor lays before the House of Commons a Statement called the "Budget," in which he sets forth the condition of the nation's finances. He tells how much the taxes have yielded, and how much he wants for the next twelve months to meet the estimated expenses. Sometimes he has to levy fresh taxes, and then you will hear on all sides complaints from people who have to pay more for their tea or sugar or beer or for any of those articles which are taxed by the

State. Sometimes the Chancellor of the Exchequer is in the happy position of having a "surplus," that is, of having more revenue than he expected, and then he "remit[s]" or diminishes one or more of the taxes. The post of guardian of the nation's purse is, therefore, one of great responsibility. If the revenue is spent in wasteful and harmful ways, or if unequal or unfair taxes are levied upon the people, the Chancellor of the Exchequer gets the blame and brings unpopularity upon the whole Government, of which he is such an important member.

#### THE HOME SECRETARY

Another Minister of whose work you should know something is the Home Secretary. He occupies what is known as the Home Office, and as his name indicates he is chiefly concerned with the internal affairs of the country. To the Home Secretary belongs the general administration of prisons, reformatorys, industrial schools, and the lunatic asylums to which insane criminals are sent. The Home Office, of which he is the head, also sees that the laws regulating mines, quarries, factories, and workshops are duly carried out. For this purpose he appoints a large number of Inspectors who travel about the country and report to the Home Office any cases in which they find the law has been broken. A vast number of other matters come under the management of this Government Department, so that the Minister in charge of the Home Office has a very busy time. All those various Acts for regulating the employment of children, the hours of shop assistants, the protection of wild birds, the expulsion of undesirable aliens, the treatment of habitual drunkards, etc., come within the province of the Home Office. Then, too, the Home Secretary is the medium of communication between the Crown and its subjects. All addresses and petitions to the Throne are presented by, and answered through the Home Secretary, who also advises the King in the exercise of the prerogative of mercy (see p. 5). It is on his recommendation that pardons and remissions of sentences are granted to convicted persons. Similarly, the Home Secretary recommends to the Crown the names of suitable persons for appointment to the positions of police magistrates, stipendiary magistrates and recorders. These are not nearly all the duties that are performed by the Home Office, but they will serve to show the

wide character of the control exercised by this Department over the national welfare.

### THE LORD CHANCELLOR

One of the most responsible appointments that lies in the hands of the Prime Minister is that of Lord Chancellor, whose great and splendid and historic office will be described when we come to read about the House of Lords. Meanwhile, you may remember that the Lord Chancellor is the foremost member of the House of Lords, and during the tenure of his office is head of our judicial system.

### OTHER MINISTERS AND MINISTRIES

Many other ministerial offices have to be filled by the Prime Minister before he can be said to have completed his task. Thus he must appoint a Minister for War to look after the army ; a Minister called the "First Lord of the Admiralty," who must answer for the efficient condition of the navy ; a Secretary for the Colonies, a Secretary for India, and also a Secretary for Scotland. Then, too, a Postmaster-General must be appointed to the Post Office, and Ministers also must be found to take charge of the Board of Education, the Board of Trade, the Board of Agriculture, and the new Ministry of Health. There are still others with high and important duties ; for instance, the Lord President of the Council, who, in the absence of the Sovereign, presides at the sittings of the Privy Council (see p. 48). These, before the war, were the chief Offices of State to be filled after every General Election.

[The outburst upon Europe of the Great War found these Ministries insufficient to cope with the work suddenly thrown upon the Government. In order to organise the many and various activities essential to the efficient conduct of the war, a large number of new Ministries and Departments was created to deal with special work. Thus the need was at once felt of a Ministry of Munitions to organise the manufacture and supply of guns, shells, clothing, etc., for our armies in the field. Soon, too, a Ministry of Blockade was required to devise means of preventing our enemies from receiving food and other supplies from overseas. In 1916 a Ministry of Labour was created to deal with the many questions affecting the organisation and welfare of manual workers.

Other Ministries found to be necessary were those of Food, Shipping, and Pensions. Ministries of National Service and of Reconstruction were also formed for specific purposes ; whilst since the war a Ministry of Transport, a Ministry of Health, and an Air Ministry have come into existence, the latter to take over the control of the Royal Air Force. Some of the above-mentioned Ministries, having fulfilled the function for which they were created, have been disbanded or merged into other Departments. Several, however, still survive and may possibly become permanent additions to the number of Public Offices to be filled by the Prime Minister.

The Ministry of Health was established in 1919 and took over the work of the Local Government Board. The duty of safeguarding the health of the nation had previously been divided among no less than eight Government Departments. This was not conducive to efficiency, and the discovery during the war of the large proportion of men unfit for military service pointed to the necessity of taking immediate steps to improve the general health. In a phrase current at the time it was said, " You cannot run an A 1 Empire with a C 3 population." It was desirable, therefore, to establish a central authority to watch over and co-ordinate more closely the sanitary and other work of the Local Councils, and this is the function, amongst others, of the new Ministry of Health.]

### THE CABINET

At last the Prime Minister has selected the men whom he thinks fittest for the tasks they will have to perform, and the Ministry is complete. Taken altogether the Ministers are spoken of as The Government, for it is in them that the actual power resides, though, as said before, they do nothing in their own names, but always as the Ministers, *i.e.* servants of the Crown. Thus in our Government we always keep up the appearance of Royal Authority, although the real power belongs to the people themselves, who entrust it temporarily to their representatives in Parliament.

The Ministers now wait upon the King at some convenient time, and go through the ancient ceremony of kissing his hand, and receiving from him their Seals of Office. The Great Seal of England with which Treaties, Letters Patent, etc., are sealed, is delivered into the keeping of the Lord Chancellor who is frequently styled, "Keeper of the Great Seal."

Out of the whole number of Ministers, some fifteen or twenty holding the most important offices form a group which is known as the "Cabinet." It is regarded as a high honour

to be offered by the Prime Minister a seat in the Cabinet, for it means that the Minister then belongs to the inner circle of those who wield the ruling power.

[The Cabinet is a very remarkable growth on our Parliamentary system. It is plainly necessary for the great Executive Officers of State (*i.e.* those who are at the head of the Departments which carry out the actual work of government) to meet and confer with the Prime Minister and each other upon the management of the nation's affairs. But though this need for frequent and confidential conference is undeniable, the "Cabinet" has never been recognised officially as a part of our Constitution. It is unknown to the law, not even being mentioned in any Act of Parliament. It is summoned by the Prime Minister and meets at his residence in Downing Street: its members are pledged to secrecy; it publishes no records of its proceedings and until latterly no "minutes" were kept of the decisions reached behind the closed doors of the Cabinet Room. Not even the Sovereign knows the result of its deliberations, unless the Prime Minister chooses to communicate them to him. Yet this informal body, which has no legal existence, is practically the ruler of the country and holds in its hands the destinies of the Empire.

The Cabinet System of Government—if one may call it such—has been tolerated because on the whole it worked well. And it worked well because a certain wholesome tradition had grown up along with the growth of the Cabinet System, viz. that every member of the Cabinet must be held responsible for every decision or act of his colleagues in the Cabinet. Thus if the Foreign Minister—who is always a member of the Cabinet—wrote or spoke some ill-considered words which sorely offended another nation, the whole Cabinet would be held responsible. All had to share the blame equally, and if the matter were sufficiently serious the Government might have to resign. This is known as the doctrine of "collective responsibility," and (as you may well believe) it rendered Cabinet Ministers cautious in word and act, since a rash action or statement on the part of any one of them might "upset" the whole Government. If you think this out, you will see that this doctrine of collective responsibility provided a great safeguard against "one-man-rule."

Of recent years, however, especially during and since the war, a notable change in the Cabinet System has occurred which might easily develop—unless abandoned—into a menace to the power and utility of Imperial Parliament. We refer to the formation within the Cabinet of an inner circle of Ministers who gathered into their hands the reins of government—in other words, a Cabinet within the Cabinet. During the life-and-death struggle of the war the formation of this inner Cabinet became essential to efficiency. The "War Cabinet," as it was termed, was practically a small committee for the prosecution of the conflict and proved itself invaluable for this supreme

purpose. A large Cabinet could not have been assembled so quickly or have acted with the necessary promptitude.

Under the pressure of circumstances the War Cabinet introduced—quite properly—several innovations. Eminent business men and experts of all kinds were invited to attend the Cabinet meetings and give their advice and assistance in dealing with war problems. Responsible statesmen were summoned from overseas to deliberate with our Ministers upon the war measures to be adopted for the safety of the Empire as a whole (see p. 229).

Meantime, whilst the governing power was concentrated into the hands of a few Heads of Departments, the Ministers in charge of other Departments were left to do much as they pleased, with the result that they frequently issued conflicting orders to the confusion and dismay of law-abiding citizens. The principle of "collective responsibility" fell into abeyance. The supreme authority of Imperial Parliament was temporarily undermined.

There is to-day a widespread feeling that any concentration of the ruling power into the hands of the Prime Minister and a few high Executive Ministers is not for the ultimate good of our country. It reduces Parliament to impotence and the average M.P. to a non-entity. His opinion carries no weight, and under the party system (which is described in our next chapter) he must vote as directed by the party "whips." That is not good for the individual Member. It is not good for the nation. Yet it is very difficult to avoid this "omnipotence of the Executive." The danger springs from the excessive amount of work imposed upon Parliament in these days. There is no time for full discussion of even important measures. The true cure would seem to lie in "decentralisation," that is, in the devolution upon Subordinate Legislatures of much of the less important business that at present comes before Imperial Parliament.

If the recently established Irish Parliaments should prove successful, they will relieve Imperial Parliament of a vast amount of work that formerly fell upon its shoulders, and enable it to devote more time and attention to many pressing domestic and imperial questions. You might then, perhaps, hear of a further demand for decentralisation by the establishment of somewhat similar Scottish and Welsh Legislatures to deal with purely Scottish and Welsh affairs. If so, you will now understand the reason for such a demand. There is great need to liberate Imperial Parliament from the immense pressure of work under which it labours and thus enable it to regain proper control over the Executive. Imperial Parliament should not be burdened with the petty details which at present occupy so much of its time, but should be concerned only with the great questions that involve the welfare of the whole country and of the Empire.

It is of the highest importance that every citizen should strive to safeguard the Supremacy of Parliament which our forefathers won through much suffering. This supremacy of the people's repre-

sentatives must not be surrendered. We must never allow ourselves to be ruled by the Executive. To do so would be an ignoble betrayal of our heritage, and, as history clearly teaches us, always leads to a tyranny more despotic than that of any form of monarchical government.]

#### OFFICES OF PROFIT

It would be a perfectly natural question for you to ask whether the Ministers receive payment for the very heavy work that is theirs when they "accept office"? Yes, the post of a Minister is an "Office of Profit under the Crown." Ministers receive large salaries, often amounting to several thousand pounds a year, and in some cases also they have the use of a residence, conveniently situated near the Houses of Parliament, during their term of office. The Prime Minister's official address is at No. 10, Downing Street, whilst the Chancellor of the Exchequer is housed at No. 11.

[By an Act passed in 1708 every Member appointed to an "Office of Profit under the Crown" was compelled to seek re-election by his constituents. This provision was designed with a view to prevent jobbery of profitable offices. It gave the electors the opportunity of revising their previous decision, and if they suspected any corrupt practice they might refuse to re-elect their Member. These second elections following usually on the heels of a General Election caused—especially in recent years—so much disturbance to the business life of the country that by a law passed in 1919 (entitled the Re-election of Ministers Act), it was provided that re-election should not be necessary if the Office of Profit were accepted within nine months of the summoning of a new Parliament.]

You may be tempted to think that the salaries paid to Ministers are upon too lavish a scale, and that some may seek office simply for the sake of money. You must understand, however, that a man in the high position of a Minister is expected to show great hospitality to political visitors from the Colonies or abroad. Often the official salary is not more than sufficient to cover the cost of entertaining these numerous and important guests. Unless a man is already wealthy there are indeed some public offices which he could not occupy by reason of the great expenses attending their fulfilment. No money can buy devotion to one's country. It is poor citizenship to pay meanly for services which cannot be estimated by a cash standard.

At what price can you value the services of the poor private soldier or bluejacket who dies at his post ? They have given something to their country worth more than gold. At what price would you fix the wisdom, skill, or courage of Pitt, of Nelson, of Wellington, or of other famous Statesmen, Admirals, and Generals, who have saved their country's honour in times of national danger ? Parliament sometimes makes to such men great presents of money, and the Sovereign honours them by conferring a title ; but neither title nor money can either buy or pay for valour, courage, statesmanship, or generalship. Their true reward is in the grateful thanks of their countrymen, and in the sense of duty well accomplished. Since money is a necessity let the great Offices of the State be well remunerated. We expect Ministers to give the very best that is in them to the cause of their country. They should, therefore, be placed above the temptations that sometimes assail men of small means. Beware of false economy. Efficiency, though costly, is in the long run infinitely cheaper than inefficiency. This is a sound principle of citizenship which has been tested by long experience and found to be true.

#### GOVERNMENT BUILDINGS

Many of you have visited London, and have doubtless walked down Whitehall, past the tall Lifeguards standing on sentry, and noted the splendid buildings to right and left. Confronting the spectator is the magnificent pile of the Houses of Parliament with the Clock Tower and the Victoria Tower, and the stately mass of Westminster Abbey just beyond. Nowhere in the world are more noble examples of architecture to be found than in this quarter of London—the capital of the Empire. Of the ancient Abbey and of the Houses of Parliament you have probably seen many pictures, and you are thus familiar with their appearance even though you may never have travelled to London. But the other handsome and massive buildings are new to you, and you may wonder what purpose they serve, and who are the people that use them. They are the Government Buildings which belong to the nation, that is to you and to me, and to all of us. We ought to take an interest in them because they have been built at the expense of the nation, that is, out of the taxpayers' money. It is within those spacious offices that the actual work of the Govern-

ment goes on. Hundreds of officials and clerks come there daily to carry out the duties allotted to each. One of the greatest of these buildings is called the Treasury, another the Foreign Office, another the War Office, another the Admiralty, another the Education Office, and so on.

### THE CIVIL SERVICE

The officials who carry on the administrative work, and the vast army of clerks constitute what is called the Civil Service. They are chosen with great care, and usually obtain their posts by competition in the "Civil Service Examinations." They receive good pay, and at the end of their period of service (which, as a rule, terminates at the age of sixty) a pension. Naturally there is a keen competition for these posts, and many people are attracted into the civil service because of the certainty of retaining their situations so long as they conduct themselves honourably and efficiently. In this country we have a "permanent" civil service—that is, the civil servants when once appointed are unaffected by any change of Ministry. The Ministers come and go as parties rise and fall. The civil servants remain. In America civil servants are appointed on political grounds, and are turned out of their offices when a change in the Government takes place. Their system is based upon the principle of the "spoils to the victors." By us this is deemed not conducive to regular and efficient work; and we have, therefore, adopted a system which we believe is the only one that will secure for the service, men and women of high educational attainments, impeccable honesty, and proved ability.

### WEAKNESS OF THE SYSTEM

[The war, which left its mark on most of our national institutions, deeply affected the Civil Service by vastly increasing its numbers and by severely testing its efficiency. Each of the new Ministries that were created (see p. 19) required a Staff, often running into thousands of clerks and higher officials. It was, perhaps, inevitable that these hastily improvised organisations should function with no high degree of efficiency. But disappointment was felt throughout the nation with the defective working of the long-established Departments. It was found that a system that answered sufficiently well in time of peace was but ill-adapted for a great emergency, when above all things, rapid decision and prompt action were essential.

Much complaint was heard on all sides of the manner in which business vital to the successful issue of the war was "strangled in red tape." The endless delay caused by passing documents to and fro from one official to another, or from one Branch or Department to another Branch or Department; the enormous amount of tedious "minuting" and referring to the Heads of Departments of purely formal and simple matters that in an ordinary house of business would be promptly disposed of by one of the subordinates; the ambiguous answers often given to important inquiries; the apparent desire of every one in the Service to thrust the responsibility of giving a decision upon some one else; the lack of technical scientific knowledge and of business aptitude in the award of contracts and in the management of industries brought under government control; the loose methods of account-keeping which involved the loss of millions sterling of the nation's money; and last, but not least, the want of co-ordination between one Department and another, leading to much overlapping and duplication of work—all combined to create an unfavourable impression on the industrial and commerical community.

One Department seldom seemed to know what another was doing. They were likened to "watertight compartments." The result was that under the powers conferred by the Defence of the Realm Act, popularly known as D.O.R.A. (see p. 51), the various Departments would issue instructions which not infrequently stultified or actually contradicted each other. In certain cases which were brought before the Courts of Justice the Orders were pronounced to be contrary to law. The effect of this conflict of authority was sometimes serious, sometimes merely annoying. You are likely, therefore, to witness reforms in the Civil Service which will probably provide for closer co-ordination of the work of the Departments.

We shall certainly not abandon the permanent character of our Civil Service. At the same time the war has disclosed the fact that the average employee who is engaged largely upon routine work and who knows that his appointment cannot be forfeited (except for the gravest reasons), whose salary increases automatically, whose promotion to higher rank is slow but certain, and whose pension is assured, loses that sharp incentive to wider effort and superior efficiency which is present in the keener atmosphere of industrial and commercial life. Whether economy, foresight, initiative, and rapidity of action can ever become the distinguishing characteristics of a Government Department is a matter of doubt.]

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Who was Prime Minister 100 years ago? What do you know about him?
2. Do you think it will ever be possible to arbitrate upon questions involving the national honour? Give reasons for your answer.

3. Argue the case for the appointment of civilians to the posts of First Lord of the Admiralty and Minister for War ?
4. When in our history did the Cabinet come into being ?
5. Give the names of the Ministers at present holding the great Offices of State mentioned in this chapter.
6. Discuss the advantages and disadvantages of a permanent civil service.
7. Give examples from everyday life of false economy, with a view to proving that what is most efficient is in the long run the cheapest.

## CHAPTER IV

### *PARLIAMENT (Continued)*

#### OPENING OF PARLIAMENT. KING'S SPEECH

You will remember that we left the newly-elected members waiting to take their seats in the Parliament House whilst the Prime Minister was selecting colleagues to fill the great offices of State. These appointments have now been made, a "Speaker" or Chairman has been chosen, Members have been "sworn" (*i.e.* taken the Oath of Allegiance), and the day fixed for the formal opening of Parliament arrives. The King generally arranges to open Parliament in person.

Accompanied by the Queen, the King drives from Buckingham Palace in the State Coach, and is received with great ceremony at the entrance to the House of Lords by the high dignitaries of State, clad in their sumptuous robes of office. Proceeding to the House of Lords the King seats himself upon the Throne. The Queen sits beside him. A messenger is then despatched to summon the Members of the House of Commons to hear the King's Speech.

As the House of Lords and the House of Commons are at opposite ends of a long handsome corridor, it occupies a little time for "Black Rod" (as the messenger is quaintly styled) to accomplish his errand. Meanwhile the King and Queen and the whole assembly sit quietly in their places. At last the Commons, headed by the Speaker, before whom is carried the great Mace, arrive, and stand uncovered at the bar of the House whilst the King reads the Speech which is placed in his hands by the Lord Chancellor. This document contains the programme of the proposed measures about to be presented for the consideration of Parliament. It outlines in a general manner the labours of the coming Session. Though it is called the King's Speech it is in reality drafted by the Cabinet,

and submitted to the King for approval. The Speech always concludes with an invocation of the Divine Blessing upon the labours of Parliament. After reading the Speech the King retires leading the Queen by the hand.

The ancient, dignified, and picturesque ceremony of opening Parliament being over, the Commons hasten back to their own Chamber, and the work of Parliament begins in earnest. Perhaps a few members who have been detained in the country are waiting to take the Oath of Allegiance. This is a formality occupying but a few moments, but one nevertheless of high importance. Indeed, a member may be heavily fined if he takes his seat and joins in the business of the House before having taken the Oath, or made an equivalent Affirmation.

#### THE LABOURS OF THE SESSION

Whilst members are assembling and exchanging friendly greetings and congratulations after the vicissitudes of the general election, we may consider for a moment the task to which these gentlemen are about to address themselves. They have come together as the chosen representatives of the nation to discharge vast duties and responsibilities. Upon their collective wisdom depends the welfare of the greatest empire the world has ever seen. Not only have they to look after the internal affairs of England, Scotland, and Wales, but those also of India, and many of the colonies. The maintenance in an efficient condition of the Navy and of the Army occupies a large share of the attention of Imperial Parliament, whilst the commercial and political relations with other nations and with our self-governing colonies have also to be carefully considered. All manner of social questions, such as the education and the health of the young, unemployment, insurance against sickness and accidents, problems of trade and wages and housing of the people form part of their work. These are but a few of the important subjects which claim the time and thought of our legislators, and you have only to look at the report of the proceedings of Parliament in the daily papers to see for yourselves the infinite variety of other matters which come up before the House of Commons for discussion, and perhaps legislation. No tramway in the remotest corner of the country, no drainage scheme, no railway extension, no harbour or dock construction, can come into existence without

first obtaining the sanction of Parliament. Many of these affairs are of interest only to the people immediately concerned, and are carried through the House as "Private Acts." But even Private Acts have to go through just the same procedure as Public Acts, about which you will learn more in a few moments.

#### **OVERWORKED PARLIAMENT**

You will believe, therefore, that Parliament is an over-worked assembly. It has really too much to do and too many things to think of to do them all well and thoroughly. For this reason some people wish to set up subordinate Parliaments in Scotland and Wales (see p. 22), which shall take part of the work off the shoulders of the Imperial Parliament.

#### **LEGISLATION AND ADMINISTRATION**

If you examine somewhat further into the labours of Parliament you will find that part of its work consists in making laws, and part in seeing that those laws are properly administered. Legislation, or law-making, forms only a portion of the business of the House of Commons. Much time is spent by members in listening to questions about the way in which the law is being carried out. Every grievance of a public nature, be it great or small, is brought before Parliament. If, for instance, the design upon some new stamps displeases any member, he will ask a question upon the subject, and the Postmaster-General will answer that question. If a number of members are dissatisfied, a debate will take place upon the matter, and perhaps some alteration in the design of the stamps will be promised. In the case of more serious grievances the Government will undertake to bring forward a new Bill to remedy the trouble.

#### **CONTROL OF THE EXECUTIVE**

The Ministers who for the time being are at the head of the great Departments of State have to answer in Parliament for the good management of their departments. If anything goes very seriously wrong in any department, the Minister in charge may be called upon to resign his office. Thus, for

example, the Board of Education has to see that there is a Public Elementary School within reach of every child in the kingdom ; and if any village were not supplied with a school you may be sure that a question would soon be asked in Parliament about it. The Minister of Education would then have to give some good reason why no school had been supplied, or he would be blamed for not managing his Department better. Not many years ago the Under-Secretary to a Minister had to explain why there was not more of an explosive called cordite in the Government magazines. Members did not think the answer satisfactory, and when the House "divided" on the question (see p. 36) the Government was defeated, *i.e.* had a minority of votes ; whereupon they resigned office. A general election took place, resulting in the return of the opposite party to power.

By such means as those above outlined, Parliament sees that great departments of the Government are properly managed. Master this fact, for it distinguishes our Parliamentary system from those of some other great nations. *Parliament not only controls legislation, but controls also the Executive (i.e. those who administer or "execute" the laws made by Parliament), by making the Ministers responsible for the good administration of the Departments of which they are respectively put in charge.*

#### DANGER OF BUREAUCRACY

[Theoretically Ministers are individually responsible to Parliament for the administration of their Departments.

Under our Parliamentary system, however, it frequently happens that a Minister is appointed to a Department for the work of which his previous career affords no training. Thus, it has happened that a lawyer has been made War Minister, a business man Minister of Education, a country squire Chancellor of the Exchequer, a medical man Minister of Munitions, a literary man First Lord of the Admiralty, and so forth. Being new to their work they have to be "coached" in the organisation and business of the Department by the officials.

One of the daily functions of a Minister is to answer questions asked in the House of Commons relating to his Department. As a matter of fact it is usual for the permanent officials to write out the answer to these questions and for the Minister to read this answer in the House. So heavy is the pressure of work in Parliament, where his attendance is constantly demanded, that even the most energetic and

capable of Ministers is compelled to rely on the permanent staff of his Office for information, instruction, and guidance.

It is well that you should grasp the full import of this situation, viz. that the Minister is obliged to trust to the officials to carry out the work of administration. To the credit of our Civil Service this duty is usually well and faithfully performed. But a great principle is at stake. The tendency is for more and more power to fall into the hands of the officials and for less and less control to be exercised over their action. Complaint is already heard that Ministers are becoming a mere figure-head or mouthpiece of their respective Departments.

And so once again we come to the same conclusion as we arrived at in the last chapter, viz. that Parliament must be lightened of many of its labours if it is to regain full and effective control over the Executive. Failing this we shall drift insensibly and inevitably into a bureaucratic form of government, i.e. government by officials.]

#### VOTING SUPPLIES

It is hardly necessary to tell you that no taxes can be levied without the consent of Parliament. "No taxation without the people's consent." Reasonable as this now seems to you, it took centuries for Parliament to wrench this valuable prerogative from the Crown. Read in your histories about John Hampden who refused to pay a tax levied by Charles I. without the consent of Parliament, and you will see with what cost and suffering our forefathers gained for us what we now regard as a most elementary right. With keen practical sense our ancestors realised that if Parliament secured control of the national purse, it could gradually enforce other rights, by the simple process of refusing to grant money to the King unless he ruled in accordance with the wishes of his people. "No supplies until grievances are redressed," was their maxim, and it is the working rule of Parliament to this day.

Unless Parliament annually votes the money to pay for the Army, the Navy, for the Civil Service, for Education, Old Age Pensions, for payment of the interest on the National Debt, etc., a chaotic condition of affairs would ensue. So among its multifarious duties Parliament has to spend many days in the session in "voting supplies," as the old phrase calls it. When the House "goes into Supply," the Government asks for money for various purposes. Perhaps it is for the Navy, and the Government is proposing to spend several more millions upon the construction of battleships. A sharp

discussion probably takes place before the money is voted. Some members say that the Government is asking too much, and propose to cut down the expenditure. Others think it is not enough. Some assert that the money is not being spent to the best advantage, and criticise the Government's action. One of the effects of having too much work to do is that the time allotted for Supply is often too short for a full consideration of the Estimates, and millions will be voted in a single afternoon without sufficient regard for economy.

#### PAYMENT OF MEMBERS

Up till lately the Members of Parliament received no salaries, and it was one of the sources of national pride that there were among us a sufficient number of men who were willing to devote their lives to the service of their country in Parliament without payment or expectation of reward. In 1911, however, Members voted themselves a salary of £400 per annum each.<sup>1</sup> In this they were following the example of the Parliaments of other nations and of our self-governing Colonies. Whether it will tend, as it has done in some countries, to create a class of professional politicians who go into Parliament for what they can get out of it, the future can alone decide.

#### INSIDE THE HOUSE

And now let us take a glance at the close ranks of members as they occupy the benches on either side of the House. How many do they muster? At the present time there should be 615, of whom England sends 492, Scotland 74, Wales 36, and Ulster 13. Since the establishment of the Irish Free State in 1922, the rest of Ireland returns no members to Imperial Parliament.

Now look round the handsome Chamber. At one end stands the Speaker's chair. "Mr. Speaker," as he is always addressed, sits there—a dignified figure in wig and gown. He is the "first commoner" of the realm, and possesses great powers of discipline. These powers are necessary, for some-

<sup>1</sup> This was done in an indirect way by incorporating this expenditure in the Consolidated Fund Bill of that year. The payment of members has thus never been sanctioned by specific Act of Parliament and has never been submitted to the electors who provide the money.

times party feeling runs very high, and hot words are shouted across the floor of the House. The Speaker, therefore, who is chosen by the whole House as its spokesman, and as the guardian of its honour and liberties, is entrusted with authority to "name" an unruly and disobedient member, *i.e.* to ask him to withdraw, and in extreme cases to commit him to imprisonment in the Clock Tower. If compulsion is necessary, the Speaker calls upon the Sergeant-at-Arms, who sits near by, to exercise the necessary force. Good order is thus preserved, with the result that our House of Commons is regarded as the most dignified and well-conducted Legislative Assembly in the world.

In front of the Speaker is a table at which sit three bewigged clerks, and upon the table rests the Mace. The Mace, which is always laid in front of the Speaker when he takes the chair, is an ancient emblem of power. It is usual even for the Mayor of a town to be preceded by a macebearer when in procession. When sitting in Council the Mace is placed before him. We English people do not like too many ceremonial observances, but we cling to certain of them with great tenacity. And in the course of the ages we have learnt that there is much wisdom in surrounding those in authority with outward symbols of dignity. The Mace is one of these symbols.

Upon the right hand of the Speaker sit the members of the party in power—His Majesty's Government. On his left sit the members of the Opposition. You must look to the Speaker's right to see the Cabinet Ministers. They always sit on the Front Bench. On the opposite Front Bench sit the leaders of the "Opposition." If at the next election there is a change of Government, and the "Outs" become the "Ins," then the Opposition party would "cross the floor of the House" and occupy the Government benches.

[The Speaker is treated with the utmost deference. All speeches must be addressed to him and not to the House. Other stringent rules are enforced to maintain courtesy in debate. Thus, no member is referred to by name, but always as "the honourable member for —"; if a soldier, as "the honourable and gallant member for —"; if a well-known lawyer, as "the honourable and learned member for —"; if a Minister, he is referred to by the name of his Office. When, as constantly happens, several members rise at once to speak, the Speaker selects one of them, calling upon him by his name and not by the name of his constituency. The others must then resume their

seats and wait until they can "catch the Speaker's eye." If the Speaker should rise to address the House every member must remain seated and silent. It is a proud tradition of the Commons that the Speakers never show any bias, but allow the views of every party to be fairly represented in the debates. This fine impartiality leads to the same Speaker being elected to the Chair during several Parliaments. During the tenure of his office the Speaker lives in large and dignified apartments in the "Palace of Westminster," as the two Houses are together called. On retirement from his very responsible and onerous duties he is always made a Peer.]

### LIBERALS AND CONSERVATIVES

In our country there are two great parties, which have been called by various names in the course of history—Roundheads and Cavaliers, Whigs and Tories, and nowadays Liberals and Conservatives. There is another large party in the House of Commons, called the Labour party, which professes to be neither Liberal nor Conservative, but to be representative of the "labouring classes." When one of these parties is not numerically strong enough to command a "working majority" in the House, they side sometimes with one and sometimes with the other of the great parties, and thus frequently can turn the scale in one direction or another. When they can do this they are said to possess the "balance of power." The Liberal party is generally associated with the idea of progressive legislation. The extremists in this party are often termed "Radicals." The Conservative party,<sup>1</sup> on the other hand, as its name indicates, is more concerned with preserving the settled order of things handed down to us from our forefathers. They are not entirely opposed to change or progress, but they desire to make those changes with as little disturbance as possible to existing institutions. It is, they say, always easier to pull down than to build up, and the Conservative party, therefore, always opposes any far-reaching changes in our Constitution.

### THE GOVERNMENT "POLICY"

The programme—as we may call it—of measures which the Government desires to pass into law is called its policy.

<sup>1</sup> Often styled "Unionists" on account of the attitude of this party at one period of its recent history towards Home Rule for Ireland.

Thus the Liberal party holds that Free Trade is essential to the continued prosperity of this country. On the other hand, the Conservatives think that a certain degree of Protection (of which you will learn more in a later chapter) would improve our trade. So "Tariff Reform" is part of the Conservative policy. The Labour party desire to "nationalise" the leading industries of the country, *i.e.* place them under State ownership and management, and to find work for or maintain every one out of employment. These, then, are items of the Labour programme or policy or "planks in the Labour platform." You can for yourself think of many other matters which are the subject of great political controversy—for there is always before the country some proposal of importance upon which opinion is sharply divided.

#### THE "PARLIAMENTARY MACHINE"

Let us see, then, how the "parliamentary machine" works. First of all the proposals are written down and embodied in what is called a Bill. Before this Bill can become an Act of Parliament, that is, before it can be put upon the Statute Book as one of the laws of the realm, it must be "read" three times in the House of Commons, afterwards it must be sent up to the House of Lords also for their approval. It is usual to let the Bill go through its "First Reading" without any discussion. When, however, it comes to the Second Reading, there is—if the Bill is at all important—a big debate upon its principles. If there is a division of opinion the House "divides." Those who approve of the Bill go into one lobby, and those who disapprove into another. Each side is counted, and the majority decides whether the Bill is to go on or not. If the Second Reading is "carried," the House "goes into Committee," and the Bill is examined critically clause by clause and word by word. If the Opposition disapprove very strongly of the Bill they draft a large number of "amendments," *i.e.* they suggest alterations of the wording, or additional clauses, or the omission of certain words or clauses. When the amendments are numerous you will easily see that this is a very tedious and lengthy business, and sometimes after a whole evening's debate the Bill may not have advanced by more than a single word or sentence. As progress is almost impossible at this rate with long and important Bills, the

Government closes the debate and passes several clauses in a block. This closure of the debate is nicknamed "the guillotine" since it *cuts off* all possibility of discussing the clauses any further in detail. After discussion, more or less prolonged, and after the Bill has assumed what is probably its final form, it is "reported to the House" as amended, and comes on for its Third Reading. Another debate may follow and more amendments may be made and another Division taken upon it. It is then "through" the House of Commons, and is sent up to the House of Lords to go through the same procedure there.

If the Lords alter it, the Bill has to come down to the Commons for their consent to the Lords' Amendments; then back again to the Lords, and so on. Finally when "through" both Houses the Bill is taken to the Throne for the Royal Assent. Thenceforth it is no longer a Bill but an Act of Parliament. It is then a Law, and is inscribed in the Statute Book, and is always referred to by the place it occupies in that book. Thus the "Children Act" of which you will hear in a later chapter is referred to as "8 Ed. VII. c. 67" which means that it was passed in the eighth year of the reign of King Edward the Seventh, and that the Act forms the 67th Chapter in the Statute Book of that year. The Acts are printed and can be obtained through a bookseller for a few pence each.

#### PARTY GOVERNMENT

We now see "party machine" in the working. A Bill is carried bit by bit against the Opposition by sheer weight of the majority that the Government possesses in the House. It is of supreme importance, therefore, that there should always be present in the House a majority which will enable the Government to vote down the Opposition. To see that members are present in sufficient numbers to prevent the Government being out-voted, certain members are chosen as "Whips"—a term taken from the hunting field. The Whips keep the pack together, and "whip up" the stragglers. Each party appoints its own "Whips," and woe betide the unlucky member who misses an important division without having given previous notice to his Whip of his inability to be present. It is the duty of the Government Whips to "keep a majority,"

and they have a very busy time indeed in looking after members and informing them when their presence is urgently demanded. For you must understand that if defeated upon an important division, it is customary for the Government to resign office, and a general election then takes place.

### THE MAJORITY RULES

We live under the rule of the majority, and however small that majority may be, the minority has to give way. This may or may not be the best possible system, but it has, on the whole, worked well in our country. But because it works well here do not imagine this system would suit all races in all parts of the world. There are peoples who have not, like the British, the faculty of self-government, and to whom representative government is quite unfamiliar. To them government by a bare majority would appear both cruel and unjust. Remember that our institutions based upon the rule of the majority, are the growth of a thousand years of self-government among a liberty-loving and self-reliant people, and that our native methods cannot always be transplanted into foreign lands with impunity, especially when the inhabitants of such lands have never even enjoyed or been trained to exercise the most elementary rights of citizenship.

### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Discuss some of the difficulties and dangers that attend a Legislative Assembly that has not control over the Executive.
2. State the advantages and disadvantages of payment of Members of Parliament.
3. Name the Leaders (1) of the Government Party ; (2) of the Opposition Party ; (3) of the Labour Party.
4. Who is the present Speaker of the House of Commons ?
5. Discuss at greater length the possible injustice to a minority under the rule of the majority. Is Party Government an inevitable accompaniment of Representative Institutions ?
6. Is the Party System suited for times of great national emergency ? What is, and when had we a "Coalition Government" ? Discuss the advantages and disadvantages of a Coalition Government.
7. "Devolution and Decentralisation of Authority." Argue for and against the delegation of some of the powers of Imperial Parliament to minor legislative bodies. If in favour, suggest some practical scheme.

## CHAPTER V

### *PARLIAMENT (Concluded)*

#### THE HOUSE OF LORDS

WE will now follow the course of the Bill after its Third Reading in the Commons. It has probably many adventures to suffer before it becomes an "Act." It has first to go "up" to the House of Lords and undergo discussion there. If the Lords amend it, it must go "down" to the Commons for the latter to consider whether they agree with the alterations. Last of all, it has to receive the Royal Assent.

Whilst our imaginary Bill is awaiting its fate in the House of Lords, let us for a few moments study the constitution of that Assembly.

Of the three "Estates of the Realm"—the Lords Spiritual, Lords Temporal, and the Commons—two sit in the House of Lords, an institution more ancient than the House of Commons. In early times the Spiritual Lords greatly outnumbered the Temporal Lords or Lay Peers. To-day the position is reversed and only twenty-six spiritual Lords sit in the "gilded chamber." These are the two Archbishops, the Bishops of London, Winchester, and Durham, and twenty-one others who are summoned to Parliament according to the seniority of their consecration. The lay-lords number, at the time of writing, about 600, but as new peerages are constantly being created, and as titles now and then become extinct through the dying out of old families, there is no absolute fixity in the number of temporal peers.

#### SCOTTISH AND IRISH PEERS

The whole of the English Peers have the right to be summoned to Parliament, but not all the Scottish and Irish Peers. After each general election the Peers of Scotland assemble at

Holyrood Palace and choose sixteen of their number to represent the Scottish Peerage in the Upper Chamber until the next general election. The Irish Peers have the right to elect twenty-eight of their number to sit *for life* in the House of Lords. Those of the Irish Peerage who have not been elected to the House of Lords, are eligible as members of the House of Commons, and you thus sometimes have the apparent anomaly of a "lord" sitting as an elected representative in the Commons. We are in this respect more democratic than most countries. The eldest son even of a Duke can sit in the House of Commons until he succeeds to the title. The sons of peers are always commoners even though they often bear "courtesy" titles.

#### THE LORD CHANCELLOR AGAIN

The Lord Chancellor, as you have learnt in an earlier chapter, is one of the most important members of the Ministry. He is always selected because of his high legal position, and, if not already a lord, he is at once raised to the peerage. His office is so exalted and unique as to constitute almost a national institution in itself. The "Chancellor" was originally the King's confidential adviser and secretary, and in earlier days was always a cleric (*e.g.* Cardinal Wolsey) and a distinguished man of learning. He became, as you will learn in the chapter on *Courts and Judges*, the dispenser of the King's "equitable jurisdiction," the "Keeper of the King's Conscience," and stood next in importance to the King himself. The Lord Chancellor is now the head of our legal system, and appoints (in the name of the King) all the Judges, except a few of the highest rank, whose appointment rests in the hands of the Prime Minister. He also appoints practically all the Justices of the Peace on the recommendation of the Lord-Lieutenant of the county. The Lord Chancellor presides over the highest of our tribunals—the House of Lords—when the latter is performing its judicial functions as the Final Court of Appeal. In full-bottomed wig he sits on the Woolsack (as the ancient presidential seat is called), and presides over the House of Lords in its capacity as a Second Chamber. Thus the Lord Chancellor forms a link between our judicial and political systems. He holds office only during the existence of the Government, of which he is one of the most important

members. In early days, the Chancellor was a great prelate, and had a large number of Church livings in his gift. Although nowadays no Chancellor is ever a clergyman, he has nevertheless a very large amount of Church "patronage" to bestow, and he still appoints clergy to the Crown livings. By reason of this bestowal of patronage in the English Church no Roman Catholic can become Lord Chancellor—the only public office from which members of this religious body are excluded. The Chancellor still represents the paternal character of the Sovereign, in that he is the guardian of lunatics and idiots, and of orphan children under age. The position held by the Lord Chancellor is one of the highest to which a British subject can aspire.

Though in a sense the Lord Chancellor is the Chairman of the House of Lords, his power falls far short of the Speaker of the House of Commons. For instance, the Lord Chancellor has no disciplinary authority. He cannot call the Lords to order, or indicate the peer who shall be entitled to speak if—as often happens—two or more rise at the same time in their places intent upon addressing the House. Matters like these, which repose solely in the hands of the Speaker of the House of Commons, are left to the Lords to settle among themselves, by vote if necessary.

#### DEGREES OF RANK

Most of the members of the House of Lords are men who have been rewarded by a title for some service to their country, or they are the descendants of such men, the titles being hereditary. There are several grades in the order of nobility. The Princes of the Blood—as kings' sons or brothers are called—come first, but very rarely indeed do they attend the House, and never do they take any part in political discussion. Then come the dukes, of whom there are only about a score; then the marquises, numbering a few more than the dukes; then the earls, in number about 125; next the viscounts; and, lastly, the barons, of whom there are over three hundred. You may wonder why the bishops, whose titles are not hereditary, find a place among the legislators in the Upper House. The right of these Church dignitaries to a place in the legislature is derived from the earliest usage. Far away in the distant past, when the King called together his Witan or Council of Wise Men,

he included the great bishops and prelates, who exercised immense sway by reason of their wealth and position. Thus it comes about that the bishops still are found in the Upper Chamber. There are other members of the House of Lords whom we have not yet mentioned. These are the Law Lords, or "Lords of Appeal in Ordinary," peers for life only, who receive large salaries to assist the House of Lords in performing those judicial functions which belong to it as the Final Court of Appeal. You will learn more of this side of the character of the House of Lords when we come to the chapter on *Courts and Judges*. Being peers for life only, their titles do not descend to their eldest sons.

### LORDS AS LEGISLATORS

You now know something of the composition of the Upper Chamber, and are ready to learn what happens when the Bill, which, after perhaps a very stormy passage through the Commons, comes to the Lords for their consent. Up to the year 1911 a Bill—before it could become an Act—had to pass three readings in the House of Lords, just as in the Lower House. In fact, up to that year the procedure in the two Houses was practically identical, except that it had become customary for Bills which dealt with taxation not to be amended in any way or rejected by the House of Lords. It had become the practice for the elected representatives (*i.e.* the Commons) alone to decide what the electorate should pay for public purposes. You have read in your histories—particularly in the period of the Civil War—how Parliament declined to permit the King to levy taxes without its consent. Little by little it became the custom for the House of Lords (though never formally relinquishing its ancient statutory right to amend or reject Money Bills) to acquiesce in this usage, and to allow such Bills to pass without any alteration whatever. But in 1909 the Lords rejected a Money Bill, namely the "Budget" of that year (see p. 17), and thus a crisis arose which has led to an alteration in the mode by which a Bill may be treated by the Upper Chamber.

To grasp the whole situation it is necessary to remember that formerly every Bill before it could become law had to be agreed to at each of three readings in the Lords; that the Bill could be refused a second or third reading; that amendments

could be inserted in the Bill, usually at the second reading, to suit their lordships' views ; and that unless the Commons agreed to the amendments proposed by the Upper House, the Lords could absolutely prevent it passing into law. To put it in technical language, the Lords had an "absolute veto" upon legislation proposed by the House of Commons.

Up to 1911 the foregoing statement summarises briefly the position and powers of our Upper Chamber. But a radical change was effected in that year by an Act entitled "The Parliament Act," which protects Money Bills from the touch of the Lords, and with regard to other Bills limits their right to an "absolute veto." You will no doubt some day hear or read the whole story of the matter ; but as it affords the best possible illustration of the way in which immemorial practice can be altered or modified at any moment by a Parliamentary majority, it is well for you, who, as the citizens of the future, will have the Government of the country in your own hands, to learn something of this Parliament Act, and of the changes it has introduced into the ancient meshwork of laws, usages, and institutions, which we call the Constitution.

#### ALTERING THE CONSTITUTION. THE PARLIAMENT ACT<sup>1</sup>

To begin with, let us look at the first clause of the Parliament Act, which renders Money Bills immune from attack by the House of Lords. The clause runs thus :—" *If a Money Bill having been passed by the House of Commons and sent up to the House of Lords at least one month before the end of the session is not passed by the House of Lords without amendment within one month after it is so sent up to the House, the Bill shall (unless the House of Commons direct to the contrary) be presented to His Majesty and become an Act on the Royal Assent being signified, notwithstanding that the House of Lords have not consented to the Bill.*" You thus see that the new Act withdraws all Money Bills from the purview of the Lords. We will next see how the Act alters the position of the Lords with respect to Bills that are not Money Bills. To understand fully the operation of the Parliament Act you must be informed—if you do not already know it—that the majority in the House of Lords are Conservative in opinion. The Liberal party complained that their Bills did not, therefore, have a fair chance in the House

<sup>1</sup> 1 & 2 Geo. V. c. 13.

of Lords. They complained, also, that the Lords either made such amendments to Liberal Bills as to deprive them of any value, or rejected them altogether. It was asserted that the Lords scarcely ever amended Conservative measures, and, therefore, instead of acting as an impartial "revising Chamber," they improperly favoured one political party.

Consequently, in 1911, after a tremendous political struggle, the Liberals succeeded in passing the Parliament Act, which "limits the veto" of the House of Lords; that is, it takes away the unlimited power of that House of rejecting measures passed by the House of Commons. You may reasonably ask how the Lords ever consented to pass a Bill which so curtailed their own powers. This was done by threatening to "swamp" the House of Lords with a wholesale creation of Liberal peers.

You have already learned, in Chapter I., that it is one of the prerogatives of the King to create peers; but even in the use of that prerogative the Crown acts upon the advice of the Prime Minister. So, rather than see their House invaded by a host of new peers, the Lords gave way and passed the Bill, and on August 18, 1911, it received the Royal Assent, and became henceforth an Act—the Parliament Act. This Act of only eight clauses is of such importance, and you are so likely to hear more of it in the future, that you ought to know the exact words of that portion of it which limits the Lords' veto. They run as follows:—"If any Public Bill is passed by the House of Commons in three successive sessions, that Bill shall on its rejection for the third time in the House of Lords be presented to His Majesty and become an Act of Parliament on the Royal Assent being signified thereto." You thus see that if the Lords "throw out" a Bill a third time their resistance is then at an end. After passing through the House of Commons three times (and each time it must undergo three readings in that House) the Bill—after a third rejection by the House of Lords—can be taken straight over their heads to the Throne, and become law as soon as His Majesty has signified his assent.

This at present is the "Law of the Land," but it is highly probable that some modification of it will be made in the future, when the reform of the House of Lords comes to be considered by Parliament.

## REFORM OF THE HOUSE OF LORDS

From what you read in the last paragraphs you will have learned that the Second Chamber has been shorn of part of its powers, and that it can do little more than delay for about two years the passing of any measure of which it disapproves. For a long time past there has been a feeling among statesmen belonging to *both* great political parties that the "hereditary principle" upon which the constitution of the House of Lords is based is no longer in keeping with modern ideas. Some people express the position by saying that there is no justification for some 600 men sitting as legislators simply because they were born to a title. It is desired by both parties to establish a Second Chamber upon some popular or elective basis—that is, the whole or part of the House of Lords should be elected by the people. The Parliament Act opens with these words : "*Whereas it is expedient that provision should be made for regulating the relations between the Houses of Parliament, and whereas it is intended to substitute for the House of Lords as it at present exists a Second Chamber constituted on a popular instead of hereditary basis, but such substitute cannot be immediately brought into operation, etc., etc.*"

From these words you see that it is the expressed intention—of the Liberal party at all events—to bring forward some measure proposing a reform of the House of Lords. You will probably witness a great party fight on this subject, and as it affords a constitutional problem of the highest order you ought to give this matter your close study. Indeed, each of you ought to take an intelligent interest in securing a just and reasonable settlement of this question, as every man, woman, and child in the kingdom is directly affected by the smooth working of the "Parliamentary Machine." Useful legislation is unduly delayed if the two Houses are occupied in fighting about the extent and scope of their respective powers.

## THE TWO-CHAMBER SYSTEM

The difficulties and friction that have of late manifested themselves between the two Houses of Parliament have led a certain number of politicians to ask whether we need a Second Chamber at all. There are some people who would like to

dispense altogether with the House of Lords, and entrust the welfare of the country entirely to the House of Commons. Such people are sometimes called "Single-Chamber" men. This again is a matter upon which you will have to form your own opinion when you come to take your part in politics as a fully qualified citizen. It is often well in such cases to look abroad, and see what other civilised nations have done, and under what sort of government they live. We find then, if we examine foreign practice, that the American Congress consists of the House of Representatives and the Senate; France has two Chambers—the Chamber of Deputies and the Senate; Italy has two Chambers—the Chamber of Deputies and the Senate. Thus the greatest of modern nations live under a two-chamber system, and perhaps it is not too much to say that the collective wisdom of the leading civilised countries has decided in favour of a Second Chamber.



#### FIVE-YEAR PARLIAMENTS

The Parliament Act of 1911, of which you have already heard so much, has made yet another alteration in our constitutional practice. By its 7th Clause it reduces the duration of Parliament from seven to five years. Henceforward we shall have a general election *at least* every five years. You will learn that at one time in our history triennial Parliaments were the rule, but in the reign of George I. their duration was extended by the Septennial Act to seven years. Experience has tended to show that a Government "loses touch" with the country if too long in office. The period of five years is therefore in the nature of a compromise, and you will doubtless watch with interest whether this shortening of the life of Parliament works beneficially or otherwise.

#### OMNIPOTENT PARLIAMENT

Those who have read these chapters carefully may already have been struck with the fact that Parliament is completely master of its own acts. One Parliament can entirely alter or undo the work of another. If an Act were passed this session, it would be quite possible for Parliament to repeal it next session. There is nothing but the good sense of the members, who, taken together, form Parliament, to prevent them from

repealing all those good and beneficial Acts which are the bulwarks of our liberties. We know that members would never be so foolish as to do anything of the sort, but whilst Parliament can bind the Crown and the People by the laws it chooses to make, nothing whatever can bind Parliament. We have noted how the Parliament Act of 1911 has made sweeping changes in ancient constitutional usage. This power of re-modelling its own internal organisation is a feature which distinguishes our Parliamentary system from almost every other Legislature in the world.

Most other nations possess a "written constitution," which is very inelastic. In the United States, for instance, the constitution laid down and committed to writing in 1789 by George Washington and his fellow-statesmen, is so "rigid" as to be almost unalterable. It requires a majority of three-fourths of the Legislatures of the several States to secure any modification, however small, of the Constitution, whereas, in Imperial Parliament, a "bare majority" of the party in power is sufficient to carry the most far-reaching changes. But do not think, therefore, that there is no check upon the abuse of power by a majority in either of the Houses of Parliament.

Whilst our parliamentary system allows the fullest scope for wise and thoughtful reform, it provides also a series of checks upon the gross misuse of power. Thus the House of Lords, as you have just read, can stop a measure from becoming law for at least two years. This provides a sort of "brake" or "drag" upon the power of the House of Commons, and prevents that Chamber from hastily passing any legislation that has not been fully placed before the country. Again, the House of Commons, by threatening to advise the King to create peers in sufficient numbers to vote down the resistance of the Upper House, can secure the passage of a Bill through the Lords. This is a check upon any unreasonably prolonged resistance by the Peers to a measure greatly desired by the House of Commons. Then again, as you have already been told in Chapter I., the whole tendency of our history has been to place a check upon the power of the Crown, so much so that the Supremacy of Parliament is now unchallenged.

There is still left to the Crown the right to refuse assent to a measure passed by both Houses, and although this power would only be used in extreme cases, it undoubtedly exists, and remains as a check upon any extravagant action on the

part of Parliament. These "checks," or "balances," which are of the highest value in the working of the "Parliamentary Machine," form part of our "unwritten law," which, though unwritten, forms none the less a fundamental part of our Constitution.

✓ FOREIGN PARLIAMENTS

Living as we do under a Parliament that is in a sense all-powerful, we are apt to think that the Parliaments of other countries are endowed with similar sovereignty. This is far from being the case. Though there are many points of likeness in the manner of their election and in their procedure, there are very many points of difference. The leading features of the British Parliament are that it is a complete master in its own House, that no outside authority can control it, whilst it can control every body and every institution within the realm. Not only does it control the Executive, as you learnt on p. 30, but it controls its own constitution, and can alter the fundamental rules and regulations by and under which it exists.

Now how does this compare with foreign Parliaments? We have already seen how difficult it is for the American Congress to modify even in the smallest detail the written constitution under which it exists. Further than this the American Congress does not control the Executive. In the United States "the Congress rules the law, but the President rules the Administration." In several European countries the "Executive" is not by any means controlled by their Parliament. In our country Parliament rules *both*, and if any Minister is guilty of bad administration he can be turned out of his office upon a change of Government. Thus Parliamentary Government means a great deal more in our land than elsewhere, and this is a fact you should remember when you are discussing the politics of foreign countries.

THE PRIVY COUNCIL

The Privy Council is a body of which little is heard by the general public, though its duties are of the highest importance. To understand its work and the position it occupies in our Constitution we must trace very briefly the history of its origin and functions.

Long before Parliament came into being in the thirteenth century, the Kings of England were accustomed to consult and to receive advice from a Council composed of the leading men in the Realm. You have doubtless read in your books of the Witenagemot in Early English times and of the similar body known after the Conquest as the Magnum Concilium. The Privy Council of to-day is a lineal descendant of this ancient Council, and much of its work is similar in character to that which it performed in the far-away centuries.

The King was the "fountain of justice," and those of his subjects who could not obtain redress elsewhere would bring their grievances to the foot of the Throne and beseech the King to render justice. In such cases the Council acted in an advisory capacity, and from the *Curia Regis*—the King's Court—has developed our present judicial system. To this day the Common Law of the land is declared in the "Court of King's Bench" (see p. 91), whilst the dispensation of the "Royal Favour" is exercised by the Court of Chancery (see p. 89).

The hearing of petitions from aggrieved subjects was, however, only one of the functions of the Great Council. The "King in Council" not only dealt out justice but also made laws, saw that these laws were observed and watched over the safety of the realm. To put this into learned language we may say that the Great Council exercised judicial, legislative, and administrative functions. The Privy Council of to-day inherits some but not all of these powers. It cannot originate legislation, but it performs many useful functions in the administration of the law, whilst in one very remarkable instance it still retains its character as a Court of Justice—the highest Court in the Empire, to which any British subject from the Colonies and Dominions beyond the Seas may bring his cause for final judgment. How this came to be, requires explanation.

You have learnt that after the establishment of Parliament the law-making power was taken little by little out of the hands of the King and centred in the House of Commons and House of Lords. The judicial powers of the "King in Council" were likewise taken over by the various Courts of Law, though you must never forget that the "High Court of Parliament" is still a judicial as well as a legislative assembly, as may be seen almost any day in term time if you enter the House of Lords and watch its proceedings as the highest Court of Appeal

*within* the Realm (see p. 95). Nor should you forget that the Privy Council was very slow to give up its judicial powers and that the Star Chamber, so notorious in Stuart times, was nothing else than a Committee of the Privy Council. The Board of Trade and also the Board of Education were originally, and theoretically still are, Committees of the Privy Council established to take charge of certain Government departments.

#### (a) THE JUDICIAL COMMITTEE

[It was stated above that the House of Lords constituted the highest Court of Appeal *within* the realm. But what about appeals from *outside* the realm? For centuries all petitions from his aggrieved subjects oversea were addressed to the "King in Council," and this practice still continues. But as our colonies increased in population and importance, and the petitions grew in number and in complexity, the want of a competent tribunal began to be felt. In 1833, therefore, a "Judicial Committee of the Privy Council" was established<sup>1</sup> consisting of the most eminent judges in the land.<sup>2</sup> Appeals from our Ecclesiastical Courts and from the Colonial and Indian Courts (where difficult legal problems are constantly arising) come to this tribunal, which represents the "King in Council," for final decision.

To-day, therefore, this Judicial Committee of the Privy Council constitutes the Final Court of Appeal for our overseas Empire. One quarter of the world's population fall within its jurisdiction. To this Committee sitting in a quiet room in Downing Street, not only the great self-governing Dominions beyond the Seas, but also the King's Indian subjects, who do not even know our language, bring their disputes, confident that they will there find justice at the hands of men whom they have never seen and whose voices they have never heard. That is indeed a high tribute to British justice. Whether measured by area, population, nations, creeds, languages, laws, religions, or customs, the jurisdiction of this Court is more extensive than that of any judicial body ever known to civilisation.

#### (b) ADMINISTRATIVE POWERS

We said above that the Privy Council performed many useful functions in the administration of the law; but it must be clearly remembered that the Privy Council nowadays can do nothing on its own initiative. It can only perform such duties as are cast upon it by Parliament. The best way to understand how this system works is to take an example. Let us consider the famous Act passed by

<sup>1</sup> By 3 & 4 Wm. IV. c. 41.

<sup>2</sup> Since 1908 the chief judges of the Dominions have been added.

Parliament at the beginning of the Great War in 1914. In the great national emergency it was essential to legislate quickly and to issue a great many orders on all manner of subjects. Parliament had no time to frame and discuss these orders, so it passed a very short Act entitled "The Defence of the Realm Act"<sup>1</sup> which popularly became known by its initials D.O.R.A. We will quote the exact words of the Act:—"His Majesty in Council has power during the continuance of the present war to issue regulations as to the powers and duties of His Majesty's forces and other persons acting on His behalf for securing the safety and defence of the realm."

By this statute Parliament transferred to the Privy Council power to issue any orders that the Council might deem essential for ensuring the safety of our country. If therefore (say) the Ministry of Munitions required all the steel it could get for the manufacture of guns and shells, it could secure the issue of an "Order in Council" that steel must not be used without special permission for the manufacture of motor-cars. Those of you who are old enough, remember the flood of Orders in Council that poured forth upon the rationing of food and fuel, the lighting of our streets and houses, and other matters. Under these Orders we endured a great curtailment of our personal freedom but we cheerfully submitted, knowing that these restrictions were necessary in the interests of the whole community.

At 11.15 p.m. on August 10, 1921, a meeting of the Privy Council was held at Buckingham Palace at which His Majesty approved an "Order in Council" which provided for the "official termination" of the war at midnight on August 31, 1921. The Defence of the Realm Act (which as you have read was only to remain in force during the continuance of the war) thus came to an end at the same hour. Thereafter no further "Orders" could be issued by the Privy Council under that famous Act. Such, then, in brief is the function of the Privy Council in administering matters committed to its charge by Imperial Parliament.

#### (c) ITS FUTURE

It is believed by some of our most able statesmen at home and in the Dominions that in the Judicial Committee of the Privy Council lies the germ of a future Parliament of the Empire (see pp. 229 and 230). In spite of the theoretical supremacy of the Imperial Parliament, Colonial opinion is moving towards the conception of an identity and equality of institutions; so that the advice tendered to the King by his Australian or Canadian Ministers should not necessarily be superseded by the advice of the British Cabinet. There is no inclination on the part of oversea peoples to question the supreme authority of the Crown, though there is a disposition to restrain within narrow limits the technical supremacy of Imperial Parliament. "Thus we

<sup>1</sup> 4 & 5 Geo. V. c. 29.

seem to be moving towards the creation of an *Imperial* Privy Council of some independent body of advisers, like the Judicial Committee, representing the Empire as a whole rather than any single people or Parliament.”<sup>1</sup>

A few more particulars respecting this ancient Council, unique among the Institutions of the civilised countries of the world, may be given. It consists of about 300 eminent persons drawn from all ranks of society, and of every shade of political opinion, appointed by the Crown, all of whom are addressed as “Right Honourable.” Cabinet Ministers are by virtue of their office appointed Privy Councillors. They principally form the acting Privy Council. The Sovereign on rare occasions presides in person. The Lord President of the Council (see p. 19) is the Fifth Great Officer of State, and as such is always a prominent member of the Cabinet. Privy Councillors in both Houses have the privilege of speaking from the table instead of from their seats.]

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Point out the advantages and disadvantages of a Second Chamber based upon the hereditary principle.
2. Ought the Bishops to sit in a reformed House of Lords?
3. Should a Second Chamber elected on a popular basis have the power to amend or reject Money Bills?
4. Discuss the question of “Single-Chamber Government.”
5. What are the objections to Triennial Parliaments?
6. How far has our “Omnipotent Parliament” control over the making of treaties with foreign Governments?
7. Argue the possibility of the Privy Council becoming a mere tool in the hands of the “Executive.” What might be the effect of an Act worded like D.O.R.A. with the words “welfare and good government” substituted for “public safety and defence,” and with the word “Parliament” substituted for “war”?

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<sup>1</sup> Mr. Sidney Low in a “Rhodes” Lecture delivered in London, January 21, 1914.

## CHAPTER VI

### *THE TOWN (OR BOROUGH) COUNCIL*

#### THE MAYOR

THOSE of you who live in London are well acquainted with the regular appearance, upon the 9th November in each year, of the sometimes interesting and always entertaining spectacle of the Lord Mayor's Procession. Upon that day—which coincided with the birthday of the late King Edward VII.—the new Lord Mayor of London goes in procession to the Law Courts, and is there introduced to and addressed by the Lord Chief Justice of England. He also visits the House of Lords, and is there introduced to and welcomed by the Lord Chancellor. The Lord Mayor, like all other Mayors, has for the period of his office certain judicial functions to fulfil. It is therefore quite proper and in accordance with ancient practice that he should first of all make the acquaintance of the two great legal dignitaries above mentioned.

In his turn the Lord Mayor, as head of the wealthiest as well as the oldest<sup>1</sup> and most celebrated of all municipal corporations, invites the Lord Mayors and Mayors of provincial towns to London. A banquet is then provided for their delectation at the Mansion House, where the Lord Mayor resides during his year of office, and the chief municipal rulers of the whole of England thus have an unequalled opportunity, thanks to the hospitality of London's Chief Magistrate, of meeting and making each other's acquaintance.

November 9 is a yearly landmark in the local government of our country, for upon that day the new mayors come into office, and take up those voluntary duties which—if properly discharged—will usurp practically the whole of their time and energy for the next twelve months. Though some of the

<sup>1</sup> Winchester claims to have had a Mayor 20 years prior to London.

mayors of the large boroughs and cities receive a salary, this emolument is rarely or never sufficient to cover the expenses attaching to their position. For the mayor, as the head of the Corporation, must dispense hospitality upon a generous scale, and his salary is usually insufficient for this purpose, quite apart from other expenses to which the most prominent citizen of the town is expected to contribute.

The Mayor, who is dignified in the case of certain great towns by the title of Lord Mayor, is elected to the Chair by the votes of the Aldermen and Councillors.<sup>1</sup> So before we proceed to consider the duties of His Worship the Mayor, let us turn for a moment to the constitution of the City or Borough Council—generally called the Town Council—of which the Mayor is for the time being the Chairman or President.

#### ALDERMEN AND COUNCILLORS

Sometimes you hear the Town Council spoken of as the Corporation, but do not let the difference in name confuse you in the least. The Corporation comprises the Mayor, the Aldermen, and the Burgesses or Citizens as represented by their Councillors. The Aldermen, who rank above the Councillors, are generally persons with considerable knowledge of the town's affairs, and as a rule are chosen by the Councillors from amongst themselves on the same day as they choose the new Mayor. They hold office for six years,<sup>2</sup> after which they must submit themselves for re-election if they still wish to remain in office. Since the year 1907,<sup>3</sup> women are eligible as councillors and aldermen, and there have already been a few instances in which women have actually filled the office of mayor.

The Councillors (who in London are called Common Councillors and elsewhere Town Councillors) are the elected representatives of the burgesses or townsfolk. Like members of the House of Commons, they have to go through all the stress of a public election, though of course on a smaller scale.

<sup>1</sup> Except in London, where the Lord Mayor is elected by the "livery-men" of the City Companies.

<sup>2</sup> Except in London and some old boroughs where they are elected for life.

<sup>3</sup> By 7 Ed. VII. c. 33. Since then the Sex Disqualification (Removal) Act of 1919 renders women eligible for any civil or judicial office or post, and removes the last bar from their exercising any public function.

Town Councillors are elected on November 1, and when that day next comes round you should watch what takes place in your town.

Councillors ought to be elected by reason of their fitness for the honour, and not upon political grounds ; but, nevertheless, politics sometimes creep into municipal affairs and disturb the judgment of the electors. Sometimes, too, religious differences are allowed to intrude themselves into these local parliaments. But if ever you come to take your part in the government of your town or district, set your face resolutely against anything of the kind. In our local councils men and women should be chosen who will serve the best interests of the town or district, without reference to their private political or religious views. There is plenty of work to be done in the council, as you will soon see, of a non-party character.

The management of the town's affairs rests with the council, and by wisely exercising the powers placed in their hands by Parliament, the council may do a great deal for the health and happiness of their fellow-townsfolk. As they are not paid for their services you cannot force the Mayor and Councillors to be active in well-doing, but if a few men and women of strong public spirit get on the council, it is surprising how much they can do to improve everything over which they have control. A Town Councillor who goes to the council with the intention of giving his time and best thought to the service of the public is a most valuable citizen. He is working for the common good.

In order that no part of a town shall go unrepresented, it is divided up into areas called "wards," and each ward sends one or more members to the council. Councillors are elected for three years, and after that period they must again seek re-election if they wish to stay on the council. The voters in any ward are the householders and ratepayers in that ward.

[Since 1869 women householders have enjoyed the "municipal franchise," though, as you learnt on p. 11, it is only since 1918 that they have secured the parliamentary franchise. The 1918 Act<sup>1</sup> has considerably extended the number of those who may vote for our local Councils. To-day a woman of 21 years of age, if she occupies as owner or tenant any land or premises in the electoral area and has occupied such land or premises for the necessary period (six months ending June 15 or December 15), is entitled to be registered equally

<sup>1</sup> The Representation of the People Act.

with a man as a local government elector ; also any woman over 30, who is the wife of a voter registered in respect of the house in which they both reside, automatically obtains a vote.] ✓

### PRESERVING THE PEACE. THE POLICE

And now you shall see what an immense amount of work falls upon a Town Council. Firstly, there is the preservation of order ; and for that purpose a Police Force is established usually called the City or Borough Constabulary. In times of disturbance such as occasionally happen during strikes, the Police Force may not be able to cope with the disorder, and in that case the Mayor has very considerable powers. He can send for the military, and if the rioters refuse to disperse on his bidding them to do so, he may read the Riot Act aloud, and then order the military to clear the streets. If the mob should show resistance, the officer in charge of the soldiers may order his men to fire. Fortunately these scenes of riotous disorder are not very common in our country, but it is well for you to know that there are in reserve strong measures for preserving the peace ; and that when the police, who are an unarmed civil force, are powerless to protect the persons and property of law-abiding citizens from injury, it becomes the duty of the mayor to summon the armed forces of the Crown to their assistance.

The Borough Police Force is under the management of a "Watch Committee," composed of members of the Council, and is inspected by the Home Office as to its general efficiency. The very name of this important Committee reminds us of the days of the old "watchmen" who with lantern and staff patrolled the streets calling out the hours as the night passed away. Very inefficient, you may be sure, were these old "Charlies," as they were nicknamed, and the introduction by Sir Robert Peel in 1829 into the London streets of the Metropolitan Police Force or "Peelers," added greatly to the safety of the Capital. But it was not until 1856 that every County and Borough possessed a regular constabulary of its own, so that very many people still living can remember the days of the old watchmen. In London there are two bodies of Police—the City of London Force under the control of the City of London Corporation, and the Metropolitan Force, controlled by the Home Secretary. The latter force, in times

of danger, can be drafted to other parts of the country to assist the local police.

#### **LIGHTING, PAVING, AND CLEANSING**

You would be astonished if you could go back a century to find how badly lighted, paved, and cleansed were the streets and roads of even the great towns. A few oil lamps often constituted the whole of the arrangements for illuminating the streets ; pavements were very rough, and roads full of deep ruts ; the mud was rarely removed, and refuse and rubbish were thrown about anywhere and everywhere. Proper drainage was almost unknown, and people drank from polluted streams and wells, with the result that infectious diseases like typhus and typhoid fever, smallpox, scarlet fever, and diphtheria were rampant. If you compare this state of things with the conditions that at present obtain in a modern town, you cannot fail to be struck by the contrast. The streets brilliantly lighted by gas or electricity, the smooth and clean roads and pavements, the well-ordered systems of drainage and sewers, the copious supply of good water, the general effort towards cleanliness, and the reduced death rate, all point to the ceaseless activity of the local councils by whose labours these beneficent changes have been effected.

#### **WATER AND HEALTH**

The first step towards securing and maintaining the public health is to make sure of a constant and liberal supply of pure water. We therefore find that Parliament has endowed the Local Councils, whether Borough, County, Urban District, Rural District, or Parish Councils, with very considerable powers of providing the areas over which they have control with a continuous supply of pure drinking water. Perhaps you know that many diseases such as cholera, typhoid fever, and other complaints are "water-borne," that is, the germs of these diseases are conveyed by water from one person to another person. You can thus realise how necessary it is for every one to be supplied with water which is free from any sort of contamination. It is only during the last century, and since scientific men have discovered that most diseases are communicated by means of very small microscopic forms of life

—known as microbes or bacilli—that people have awakened to the necessity of scrupulous cleanliness not only of the body, but also of the house and its surroundings. Consequently much of the work of the Local Councils has been in the direction of enforcing rules and regulations for the supply of pure water and the removal of sewage. So successful have these measures been, that we may safely say that the average individual life has been raised by some ten years, that is, we each live—on the average—ten years longer than our forefathers a century ago. Many diseases that ravaged our country have been almost stamped out, such as smallpox, cholera, and typhus fever, while others like scarlet fever, diphtheria, and typhoid fever are much less prevalent than formerly.

Local Councils could not have done those things or, indeed, anything else, unless they had first received the necessary authority from Parliament. The year 1875 is therefore one you should remember in this connection, for it was the passing of the great Public Health Act of that year<sup>1</sup> which extended the powers of the Local Councils very widely, and made it possible for children in the future to be reared under cleaner, purer, healthier conditions than ever had been known before. From 1875 onwards, almost every year has witnessed some improvement in sanitary law, and some further addition to the powers of the local authorities.

#### BYE-LAWS

To secure obedience to their orders the Town Council (and other Councils also) are allowed to make rules and regulations called “bye-laws,” to break which is punishable by a fine not exceeding £5. You will readily understand that these miniature legislative enactments must not be out of harmony with the general law of the land. Indeed, before the bye-laws have any force they must be submitted to, and receive the sanction of the Home Office, or the Ministry of Health, which is now the Department of the Central Government charged with the oversight of local administration.

#### OTHER DUTIES OF THE COUNCIL

The policing, lighting, paving, and cleaning of the streets, and the caring for the public health, though affording plenty

<sup>1</sup> 38 & 39 Vict. c. 55.

of work for the Town Councils, do not by any means exhaust the number of their duties. It would take quite a large volume to describe with any sort of detail the multiplicity of affairs with which Councillors have to concern themselves. The regulation of markets and of burial grounds, the provision of parks, recreation grounds, and open spaces, the establishment and management of free libraries, swimming-baths, and public wash-houses; the supervision of the erection of new buildings so as to see that they conform with the law; the inspection of nuisances; the analysing of milk and food and drugs to prevent adulteration, are some only of the matters over which the Town Council has to exercise authority. The provision and control of the education given in the schools, the feeding of school children, etc., etc., also furnish additional work for the Council to do. So great indeed is the mass of detail, that there is a danger of our Local Parliaments becoming overburdened in the same way as the Imperial Parliament. Again, many of our municipalities have undertaken the construction and management of the tramway system within their areas, as well as the supply of gas, water, and electricity.

#### **MUNICIPAL TRADING**

The question of "municipal trading" is one which has excited a good deal of controversy—especially in London. There is no doubt that in some big towns, the taking-over by the Council of the tramway, gas, water, and electricity systems, has been attended with much success. There is talk also of making the supply of milk to the people the subject of municipal enterprise. The reasons for this are that impure milk has more often than anything else (except impure water) been the cause of outbreaks of disease, especially among children. To ensure a regular supply of pure milk is held to be of such importance to the community as to warrant the municipality entering into the business of dairy farming. You will be sure to hear more about this in the future, and it is only right that you should look at both sides of the question—for every great question has always two sides to it.

#### **THE FUTURE OF LOCAL COUNCILS**

[The thoughtful student of our methods of local government will now perhaps begin to ask himself whether the system that has been

developed in this country is best suited for the purpose it has to serve. It will have been noted that our Local Councils, small and great, possess no power of initiation in local affairs. They are statutory creations and can only do what Parliament delegates to them. Thus whilst Parliament has an "unwritten constitution" (see p. 47) which has allowed it to grow with the times, the Local Councils have a "written constitution" and are bound at every turn with legal shackles. Of all our local councils, the Corporation of the City of London (which is older than Parliament) is alone free to do practically what it likes within its own area, without Government interference. Every other Local Authority is bound down to the four corners of Acts of Parliament and has to submit to the dictation of Government Departments whose control is not always of the wisest.

The duties thrust upon the Local Councils grow steadily in magnitude and importance. "There has hardly been a year," said a leading statesman in 1914, "for the last 40 years that successive Parliaments have not imposed new functions of an onerous and costly character upon the Local Authorities to discharge."

The time has therefore arrived, in the opinion of many thinkers, to give the Local Councils some measure of independent action. For example, if a Council desires (say) to undertake a scheme for the supply of water to its area, and can enter into mutually satisfactory agreements with all the neighbouring Councils affected by such a scheme, it would seem unnecessary to trouble Imperial Parliament with the matter and to engage upon the long and costly proceedings required to obtain a Private Act (see p. 30).

The centralisation of power under the present system is excessive and leads to bureaucratic control (see p. 31). Some oversight of the action of the local authorities is undoubtedly necessary, but if ever Parliament is to be lightened of its too great burden, decentralisation is essential.

Why, it is asked, should not Parliament devolve upon the Local Councils the management of purely local affairs, and why should they not be allowed to do, on their own initiative and motion, much that now can only be done under a Private Act ?]

#### THE MAYOR IS A MAGISTRATE

One of the honours which the State renders to the Mayor is to make him for the period of his office and for one year afterwards a Justice of the Peace. About the duties and privileges of these important, unpaid servants of the State you will learn more by and by; but for the present you may remember that they are generally spoken of as the Magistrates, and they are entrusted with the administration of the law, and with power of punishment for small offences. The Mayor's

time in large towns and cities is often far too much occupied with other affairs, to allow him to preside over the Bench and listen to all the cases that come before the magistrates. Many of these cases also demand an intimate acquaintance with the law. We find, therefore, in the large towns a barrister specially appointed to preside over the police court. As he receives a salary or stipend for performing this necessary and arduous work, he is called a "Stipendiary Magistrate" (see p. 97).

People who have broken the bye-laws of the town, or who have neglected to send their children to school, or who have been drunk or disorderly, or who have committed other offences of a bad but not desperately criminal character can be punished by the Mayor and his fellow magistrates, or by the "Stipendiary," with fines or short terms of imprisonment. How the more serious crimes are treated we shall learn in the chapter on *Courts and Judges*.

#### **THE TOWN CLERK**

Since the work of the Town Council touches the law at so many points, it is necessary to have some one near at hand who is skilled in the law and who can advise the council in all cases of difficulty. With this object it is usual to appoint a trained lawyer as Town Clerk, and this important official is always present at the meetings of the council, and keeps the "minutes" or records of the proceedings at such meetings. Many other duties devolve upon the Town Clerk. He has the custody of the charters, deeds, and other documents belonging to the borough, he sends out the summonses for the meetings of the council, and in any lawsuit in which the town may be engaged he has to prepare the case for the counsel. He has in short to watch over the work of the various Committees, and see that they not merely carry out the law, but do not exceed the powers that the law gives them. The Town Clerk's Office is usually in the Town or City Hall, and is always one of the busiest departments in the building.

#### **THE RATES**

One question must be asked before we close this chapter, and that is how does the Town Council get the money to pay

for all the things of which we have been speaking ? People have to be employed for all the purposes above mentioned, and some of them, like the Town Clerk, receive large salaries. The answer to the question is that the money is raised by "levying a rate" upon all householders and occupiers, and how that is done we shall learn in the lesson on *Rates and Taxes*.

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. The Town Council of a German Town elect as their Head a "Burgermeister," who is a paid official appointed for a term of years and always a trained lawyer. Compare the advantages or otherwise of this system with the voluntary system in force with us.
2. Discuss the *pros* and *cons* of Municipal Trading with special reference to the supply of (1) gas, water, and electricity ; (2) tramways ; (3) pure milk ; (4) bread ; (5) coal ; (6) a covered market.
3. How far do you consider a Town Council should go in such matters as erecting its own public buildings ; wiring houses for electric supply ; retailing electric fittings, etc. ?
4. What is the duty of a citizen when a case of infectious disease occurs in his house ?
5. Can you suggest why policemen have been nick-named "Bobbies" ?

## CHAPTER VII

### *COUNTY AND OTHER COUNCILS*

#### THE URBAN DISTRICT COUNCIL

THOUGH many of you who read these pages will be living in towns governed by a Mayor and Council, yet beyond doubt there are many also who come under one or other of the various Councils which between them look after the local affairs of the rest of the country. Towns not yet incorporated as boroughs are under authorities named Urban District Councils. We will therefore take these first. They are not very ancient in their origin, as they date only from 1894,<sup>1</sup> when they supplanted the older Urban Sanitary Authorities. But though young in years they have become very important bodies. The members of an U.D.C. are elected for three years in just the same way as Town Councillors (described in the last chapter), but in April instead of November. Though in many respects they resemble Borough Councils, Urban District Councils differ in having no Aldermen and no Mayor.

The Chairman, though not wearing robes and chain of office, is, however, honoured by the State by being made a J.P. (Justice of the Peace) during his term of office. Women may now also hold the office of J.P.<sup>2</sup>

It would be tiresome to discuss in detail all the things that an Urban District Council can do ; try simply to remember that it is very much like a Borough Council. Indeed, Borough Councils are also Urban District Councils. Thus we find the U.D.C. looks after the lighting, paving, cleaning, and watering of the roads ; it makes and maintains the drains and sewers ; it can get permission to provide tramways, and to undertake the supply of gas, water, and electricity ; it may also, with

<sup>1</sup> Under the Local Government Act of that year.

<sup>2</sup> Under the Sex Disqualification (Removal) Act, 1919.

the consent of the ratepayers, establish Free Libraries, Baths, Recreation Grounds, etc. To pay for all these things, it can also levy *rates*, about which you will learn more in the next chapter. But—and here it differs from the bigger Boroughs—it does not raise its own Police, but hires them from the County Force. Another difference is found in the relation of the Urban District Council to the schools in its area. The big County Boroughs like Birmingham, Leeds, Liverpool, and others, are charged with the provision and oversight of both elementary and secondary education, whereas an U.D.C.—unless it is very important—has to content itself with the administration of the elementary schools only.<sup>1</sup> With these differences you may regard an Urban District Council as having practically the same duties and authority as a Borough Council.

When you get away from the towns with their vast activities, into the heart of the country among the villages, you find other councils, namely, the Rural District Councils and the Parish Councils, which were also called into existence in 1894, when they supplanted the earlier Rural Sanitary Authorities and Local Boards. To each of these a certain measure of authority is entrusted.

Everywhere, then, throughout our country, we now observe the people governing themselves. On the large scale we see it in the Great Parliament in London—Imperial Parliament we must call it, since it has to manage the affairs of the Empire—and on the small scale in the lesser Councils in the towns and counties.<sup>2</sup>

#### RURAL DISTRICT COUNCILS

The members of the Rural District Council are elected, as a rule, on the first Monday in April. They hold office for three years, just like the Councillors in a Borough Council or an U.D.C. The Chairman of a R.D.C., who is elected by the Councillors, also becomes by virtue of his office a J.P. for the county in which his district is situated. A woman is eligible

<sup>1</sup> U.D.C.s with less than 20,000 inhabitants at present have their schools administered by the County Council.

<sup>2</sup> It must be noted, however, that the local Councils can do nothing on their own initiative. They can only administer the laws made by Parliament (see p. 60).

for the Chair, and now, since 1919, enjoys the privilege of sitting upon the Bench of Magistrates.<sup>1</sup>

The management of the sanitary affairs in the country districts is the especial function of the Rural District Councils. Every member of a R.D.C. is also constituted, by virtue of his office, a Poor Law Guardian (see p. 76). The Rural District Councils have large powers in the matter of water supply, and must see that every house is properly supplied with water. They have authority to inspect private houses, and to insist that insanitary dwellings shall be closed altogether. Unfortunately, owing to the prevailing scarcity of cottages in rural districts, they permit many to remain open that ought to be abolished.

If there has been an outbreak of fever or smallpox in any house, or if a dwelling is in a filthy condition, the R.D.C. may order it to be disinfected and whitewashed. No part of a dwelling may be made into a pig-sty. In short the R.D.C.—like all the other Councils—has the power of forcing every householder to keep his premises wholesome. This, of course, he ought to do without any compulsion ; but some people have yet to learn the value of cleanliness, whilst others are too lazy to keep themselves and their surroundings in a clean condition, and must be forced into better habits ; for every dirty person or filthy house is a danger to a whole community.

To watch over all these sanitary matters the R.D.C. (like other Councils) appoints an Inspector of Nuisances and also a Medical Officer of Health, who is usually a doctor residing in the district. When these sanitary officers report that certain nuisances or infectious diseases exist, it is the duty of the council to take steps to stop the nuisances, and to do all they can to prevent the infectious diseases from spreading. If necessary they may establish fever hospitals and cemeteries. But the R.D.C. does not concern itself with the lighting, cleansing of streets, provision of schools, libraries, public baths, wash-houses, recreation grounds, etc., unless, indeed, the Ministry of Health confers upon the R.D.C. (as it occasionally does) some or all of the powers of the Urban Councils. In many matters, therefore, a Rural District Council has to rely upon its big brother, the County Council (of which we shall soon speak), for advantages that Borough or Urban District Councils can secure for themselves.

<sup>1</sup> Under the Sex Disqualification (Removal) Act.

**THE PARISH COUNCIL**

At the very foot and base of the local government system of our country comes the Parish Council and the Parish Meeting. The Parish Council, which dates only from 1894, has taken the place of a very ancient body—the Vestry Meeting, so called from the place in the church where the meeting was generally held. In olden times, when the parish and church were much more closely connected, the Vestry Meeting, presided over by the parson, did all the practical work of the parish. But since the institution of Parish Councils the only work left to the “Vestry” is to elect one of the churchwardens, and to look after the repair of the church and churchyard, and to administer the ecclesiastical charities.

Very considerable powers are given to these smallest units in our scheme of local government. A parish having a population of 300 or more is entitled to have a Parish Council. Parishes less than this (unless the County Council confers a Council upon the Parish) have only a Parish Meeting—a body which does little else but appoint some of its members as Overseers of the Poor. The Parish Council, which is elected in April, consists of from 5 to 15 persons nominated at a Parish Meeting. All ratepayers in the parish may go to this meeting and vote. Women may attend and may also be elected to the council. A Parish Council has the care of the local footpaths, but the main roads, as we shall find later in this chapter, are under the charge of the County Council. Labourers may be helped by the Parish Council to acquire small allotments of land for cultivation; open spaces for recreation may also be purchased, and cemeteries may be provided. If the parish desires it, the council may also establish a free library, public baths and wash-houses, and may buy a fire engine and organise a fire brigade. It may also make arrangements for lighting the streets. But one of its oldest rights, which it took over from the Vestry, is the appointment of Overseers of the Poor.

**OVERSEERS OF THE POOR**

The Overseers are appointed yearly about the end of March by the Parish Council or Parish Meeting. In towns they are appointed by the Town Council or Urban District Council, and in some few cases by the Guardians. The chief

duty of the Overseers of the Poor is to levy and collect the Poor Rate, about which you will learn more in a later chapter. The Overseers, acting under instructions from the Clerk of the County Council, also prepare lists of the persons liable to serve on juries ; but no longer the parliamentary and local government Registers (see p. 13). In parishes not having a Parish Council, the Overseers manage the parish property, in conjunction with the Chairman of the Parish Meeting. The Overseers hold office for a year, and are not paid, and it is usually a very thankless task that they have to perform. The duty is one which any "substantial householder" in the parish may be called upon to undertake, and the person chosen can be forced to serve. Women may be compelled to take office. It is not as onerous as formerly. Paid assistance is now permitted, and the Assistant Overseer does practically all the hardest of the work.

#### OLD-TIME FIGURES

In olden times there were other humble parish officials appointed by the Vestry whose names are familiar to all of us. There were, for instance, the Parish Constable, very different in efficiency and appearance—if Dogberry in Shakespeare's "Much Ado about Nothing" is a fair sample—from the modern policeman belonging to the County Force ; the Parish Beadle (whom all readers of Dickens's "Oliver Twist" will remember) resplendent in cocked hat and gold lace, and occupied with many small duties, one of which was to see that the boys properly behaved themselves when in church.

The Parish Clerk was another old-time official. He sat immediately below the parson and took a prominent part in the church service, leading the responses and chanting the Amens. He is a figure often appearing in the literature of an earlier day. He was very much in evidence at funerals, marriages, and baptisms, and always expected, and generally received small fees for the share he took in these ceremonies. The office is now of little importance, and is rarely filled.

Last, but not least, came the Sexton, who dug the graves and took care of the churchyard. A sexton is still appointed, but the closing of so many churchyards and the opening of public burial grounds has tended to reduce the importance of

his office. He is now seldom more than the bell-ringer and caretaker of the church.

### THE TITHES

Since the coming of the Parish Councils much of the authority formerly wielded by the parson has passed into the hands of the Parish Council. But the ancient method of supporting the clergyman who ministers to the spiritual needs of the parish still remains.

In all old parishes the rector or vicar derives a part of his income from the tithes. The tithes were originally the *tenth part* of the yearly increase (*i.e.* produce) of the land. The more valuable of the tithes were known as the "greater," and the less valuable as the "lesser" tithes. When a clergyman receives both, he is the "rector" of the parish; if he is entitled only to the lesser he is the "vicar." Many of the monasteries and abbeys in England held livings in their gift, and received the tithes of these parishes. They kept the "greater" tithes for themselves—the tithe of wheat and of sheep and oxen—and allowed the vicar or substitute (Latin, *vicarius*, a substitute), who performed the actual work of the parish, to receive the lesser tithe, the tithe of fruits. When the monasteries were broken up, and their land given away, the new owners claimed, and their descendants in many cases still continue to receive, the "greater" tithes, which were formerly paid to the abbeys and monasteries.

You may see to this day in some parts of the country what are called Tithe Barns. Here the farmers used to send a tenth of their sheaves, and a tenth of their lambs and calves. You may be sure it was not a very convenient way in which to pay the parson for his ministrations to the parish. So in the year 1836 a law was passed called the Tithe Commutation Act,<sup>1</sup> by which the worth of the tithes was calculated in money. By this law tithes were "commuted," or changed into so-called "rent-charges." In 1836 the price of corn—taken on the average all over the country—was 50*s.* a quarter, and the sum that each separate estate had to pay was calculated on that basis. As corn is cheaper to-day than it was then, the tithe payable upon the land is proportionately less.

<sup>1</sup> 6 & 7 Wm. IV. c. 71.

### THE COUNTY COUNCILS

We have left this, the greatest and most powerful of all the Local Councils, to the last, because to a certain extent the County Council has the oversight of all the lesser Councils. You must, however, get it quite clear in your minds that the County Council has no sort of authority over the big boroughs—about 70 of them—which are by reason of their size and importance called County Boroughs. Thus the County Council of Lancashire has no authority inside the County Borough of Liverpool, and the County Council of Warwickshire no power within the boundaries of the County Borough of Birmingham, and so forth. But over the non-county borough councils the County Council exercises a certain amount of control, especially in those matters which concern the county as a whole, and not just the individual districts or parishes.

The County Councils, though so very important, are not of great age, as they only date from 1888, prior to which the Counties were governed by the Magistrates sitting in Quarter Sessions. Then, for the first time in history, Parliament made it possible for the dwellers in the County to enjoy the benefits of municipal government without being forced to seek these in the towns, and allowed the rural communities to secure for themselves the amenities and conveniences of modern life so far as these are desirable in the country. The County Councils are elected by the men and women in the county who possess the local government or “municipal” franchise (see p. 55).

### WHEN ELECTED

County Councillors are elected usually about March 8, and sit for three years. They proceed at once to choose a number of Aldermen, sometimes from among themselves, sometimes from outside, and these Aldermen hold office for six years. They also select a Chairman, who by virtue of his office is a Justice of the Peace for the County. Women rate-payers may vote at county council elections, and may, since 1914,<sup>1</sup> be appointed to the rank of alderman, or even to the Chair, and in the latter case the appointment, since 1919,<sup>2</sup> carries with it the right to sit on the County Bench of Magistrates.

<sup>1</sup> Under the County and Borough Councils (Qualification) Act.

<sup>2</sup> Under the Sex Disqualification (Removal) Act.

Though County Councils have entrusted to them such great powers, they must keep strictly "within the four corners" of the Acts of Parliament that give them those powers. They may make bye-laws (see p. 58), but those bye-laws must not be contrary to the general law of the land, and must receive the sanction of the Government before they can be enforced in a Court of Law.

### SOME OF THEIR DUTIES

You shall not be wearied by any lengthy description of the work of the County Councils. The following outline of their powers will, however, give you some notion of the immense influence they may and do exercise upon the well-being of the whole of their "administrative area." These powers comprise the making, levying, and expending of the county and other rates ; the erection and maintenance of the Shire Hall (or County Hall) in which they hold their meetings, and in which the small army of county council officials have their offices ; the keeping up and in good repair of courts, police stations, and other county buildings ; the licensing of theatres, music-halls, race-courses, motor-cars, etc. ; the making and keeping in repair the main roads and county bridges (less than 100 years ago a man could be executed for damaging a county bridge, so important were these structures held to be to the community) ; the building and supervision of county lunatic asylums, reformatories, and industrial schools ; the protection of wild birds ; the prevention of pollution of streams and rivers ; the inspection of weights and measures ; and the stamping out of swine fever, foot and mouth disease, and other plagues among domestic animals. To perform all these numerous functions the county council has to appoint a large number of inspectors, clerks, and other officials. The London County Council employs some 20,000 teachers apart from the thousands of other servants under this greatest of all Local Authorities.

### MORE AND MORE DUTIES

You would think that the above list of duties was enough to keep the council and its staff busy without any further responsibilities, but in 1894 the County Councils received

from Parliament the oversight of the working of the U.D.C.s, the R.D.C.s, and the Parish Councils, whilst in 1902 supreme control over all the public elementary schools within the "administrative county," and the responsibility for the county's higher education was also laid upon their shoulders. Then, too, they have received power to regulate shop hours, and to appoint inspectors to see that the hours of work in shops are duly observed ; to undertake the registration of motor-cars, the preservation of ancient monuments, and recently,<sup>1</sup> the establishment of a Committee to look after the welfare of poor mothers and their infant children.

The control of the County Police is not entirely in the hands of the County Council, but is shared between a number of councillors of the County Council, and an equal number of J.P.s appointed by the Justices of Quarter Sessions (see p. 100). This Joint Committee appoints a Chief Constable to organise and command the Force. The control of the London Police has already been referred to on p. 56.

#### RATES AGAIN

You will at once recognise that all these things cost money, and must be paid for. It is true that the Chairman, Aldermen, and Councillors—all honour to them for it—take no pay for the time and thought they give to the affairs of the county. But the officials have salaries, and buildings have to be erected and kept in repair. How, then, are all these things paid for ? In the usual way—that is, by "levying a rate" upon all people in the county area who own or occupy land or houses. This "county rate" does not, however, yield money enough, because it would not be fair to put all the cost upon occupiers of land or houses. Consequently the central government, that is, the Imperial Parliament, makes certain grants out of the general taxes, to county councils, to defray part of the cost of the schools and teachers, main roads, public vaccinators, medical officers of health, inspectors of nuisances, police, etc., etc. Generally when a large amount of money is required—as, for instance, for the building of a County Hall or School, or Police Court, or large public work, the Ministry of Health will give the County Council permission to borrow the requisite sum. But in such cases it is always provided that the loan shall

<sup>1</sup> Under the Maternity and Child Welfare Act, 1918.

be repaid by instalments spread over 30 to 80 years. Recently, owing to motor traffic, the cost of road-repairing has become very heavy, and part of the money received for motor-car licences is now handed over to the County Councils to help towards the upkeep of the highways. Grants are also made by the Road Board for this purpose.

#### A CITIZEN'S OPPORTUNITIES

Very many of you, when you attain to manhood or womanhood, will be possessed of a vote either for Parliament, or for the Local Councils we have been reading about. Probably you will have votes for both. A vote is a trust which you must not lightly regard. Take a keen interest in all matters of Government. The Local Councils are open to any one who wishes to enter public life. You therefore will have your opportunity of taking an active part in the government of your town or country. It is the duty as well as the privilege of the citizen to see to the efficiency of his local government. It is work well worth doing, and it is all the more honourable because it is honorary, *i.e.* no payment is made for it. A good citizen actuated by a desire to serve his fellow-men will find in the Local Councils a wide field of useful social service.

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Are you living under a City or Borough Council; a County Council; an Urban District Council; or a Parish Council? You may be under more than one. If so, discover which is your authority for sanitary matters, which for main roads, which for elementary education, and which for higher education.
2. Name the Chairman of the Council under which you live.
3. Who are the Lord-Lieutenant and the High Sheriff of your County? What functions are performed by these unpaid officers of the county?
4. If your town or village has not a Free Library or Public Baths, what steps would have to be taken to secure one or other of these advantages?
5. What answer could you give to a lady-householder, whose vote was solicited by a canvasser, when she said: "I wouldn't be troubled to cross my doorstep to vote for any town councillor living"? (fact)
6. Some members of the Labour Party advocate that those serving on Local Councils should be paid for the time spent in such work. Discuss this proposition.

## CHAPTER VIII

### *RATES AND TAXES*

#### WHY NECESSARY

You have all heard of the rate-collector, even if you have never met him. For some reason or other he has earned an unfortunate reputation, and people are apt to speak slightlyingly of him and of his task. And yet a collector of the rates or of the taxes performs services as necessary to the community as those of almost any other public servant. The fact is we all dislike having to pay rates and taxes, and we visit our dislike upon the person whose duty it is to collect them.

You have learnt in the preceding chapters of many things that have to be done by the Government for the people as a whole. An Army and Navy have to be maintained at enormous expense, amounting between them to scores of millions of pounds per annum. Then the Schools, the Civil Service, the Judges and Courts of Law, Old Age Pensions, Insurance against Sickness or Unemployment, and the payment of interest on the National Debt, to mention nothing further, absorb a vast number of millions more. How is all this tremendous amount of money raised ? The answer is by the *Taxes* (often called the " King's Taxes ") levied upon all of us by Parliament.

Coming down from these national matters to those of local importance, we find that money is required by the various Local Councils, to meet the cost of maintaining the police force, to pay for paving, lighting, cleaning, and watering the streets and roads, for the erection of buildings and offices, as well as for the salaries of the numerous clerks, inspectors, and officials who use these offices. Sometimes, when large expenses have to be met, a Council has to borrow money—as, for instance, for the construction of waterworks, or gas and electricity works.

In such cases, besides the ordinary expenses, the Council has to pay interest on the borrowed money, and also to repay yearly a portion of the principal sum. You see, therefore, that on a lesser scale the Town, County, and other Councils have to levy taxes, like the Imperial Parliament. We call these local taxes the *Rates*. Having been elected by the free vote of the burgesses or householders, the Council taxes the town, like Parliament taxes the nation.

### THE RATES

As perhaps you have heard more about the Rates than the taxes, let us consider them first. People often grumble about the rates and complain that they are "too high," forgetting perhaps that we cannot have all the conveniences and advantages of civilised life without paying for them. Still, there is no doubt that some Local Authorities have been very extravagant, and have borrowed money and spent the rates in a prodigal manner. The only remedy for that is to send better men to the Council, who will see that the public money is expended economically as well as wisely. Efficiency, you have learned, is generally costly, but there is no excuse for waste or extravagance.

But before you can understand anything about Rates and Rating, which is the most complicated portion of all our legal system, you must learn something about the origin of the Poor Law and of the Poor Rates, which were the first of all rates, and to which every householder is compelled to contribute.

### THE POOR LAW

If you think of it, a man is never really destitute if he has a cottage in which to live; a bit of land on which to grow food; the right to run a cow or a few sheep, pigs, geese, or fowls upon a common; to gather sticks in the wood, or cut turf or peat for fuel. He may have little or no money, but he has the wherewithal to be sheltered, warmed, and fed, and that is a long way from being destitute. To be a "landless man" was a term of reproach in early times. Up to the dissolution of the monasteries even the poorest had practically all these things, and except in bad seasons when the crops failed, they managed to get along and to avoid starvation.

Whatever the faults of the monasteries, they afforded

great help to poor folk in times of famine and distress, feeding and supporting many who would otherwise have perished. They seem also to have stood between the great lords and the peasants, siding with the poor in many a dispute.

When, therefore, in 1536 the monasteries and abbeys began to be suppressed, the humblest workers lost a kind friend ; and as the new landlords were often very grasping, and, not content with what they had got as a gift from the King, or had bought at a very small price, began to enclose the common lands, and at the same time to convert much of the land which had formerly been tilled into pasture for sheep, you will understand that large numbers of the peasants fell into great poverty. To add to their misery, the coinage also was tampered with, and wages were paid in bad money. It is not surprising to learn, therefore, that Poor Laws soon began to appear on the Statute Book. At first these were of a simple character, providing for gifts or subsidies to the poor and for the suppression of beggary. The first great measure which forms the groundwork of our present Poor Law was the famous Act of 1601,<sup>1</sup> which finally instituted Overseers of the Poor in every parish and devised a definite system of raising money for the relief of those who were unable to work. The Overseers were ordered to raise, " weekly or otherwise," the necessary funds for relieving the poor by taxing the inhabitants of the parish. In this we see the beginning of the " poor rate " which is with us to this day.

No more striking example can be found in our history, of the disastrous effects of unsound and uneconomic measures, than the attempts made in the last 380 years to remedy the impoverishment of the people begun in 1536. Scores and scores of Poor Law Acts have been passed by Parliament, and there is still much to do. In 1905 a Royal Commission was appointed to consider the working of the Poor Laws, and to propose remedies. The Report of the Commission, issued in 1909, occupies over 1200 pages of a large volume, and no doubt when you come to engage in political life you will both hear and read of many suggestions made in that Report for the reform of our Poor Law—and it needs a great deal of reform.

<sup>1</sup> 43 Eliz. c. 2.

## THE POOR LAW GUARDIANS

In early days each parish had to support its own poor ; but that system proved unsatisfactory, as some parishes had very few paupers, whilst others had large numbers. Sometimes, indeed, a great landowner would pull down the cottages in his parish so as to drive his labourers to live in another parish, which would be responsible for them in times of unemployment, sickness, or distress. So great were abuses of this kind that in 1834<sup>1</sup> the parishes were grouped together into "Unions," of which there are now 657, and the duties of relieving the poor were transferred from the Overseers to Boards of Guardians elected by the ratepayers.

The Overseers, nowadays, have really nothing to do with poor relief, and concern themselves chiefly, as you learnt in the last chapter, with the collection of the Rates, and with the preparation of certain lists, about one of which—the Valuation List—we shall speak directly.

The Boards of Guardians, who are elected in April by the ratepayers, sometimes on the same day as the Local Councils, hold office for three years. To them is entrusted the ministration of part of the money raised by the Overseers. They perform their duty chiefly through "relieving officers," who must visit promptly those who apply for relief, and give immediate aid if necessary, and report upon each case at the next meeting of the Guardians, who will then decide what further steps are to be taken.

It used to be the practice of the Guardians, more than it is at present, to discourage the system of outdoor relief—*i.e.* the giving of money or goods—and to compel the poor and helpless to accept "indoor relief"—*i.e.* to enter the workhouse. Since the grant of old age pensions to old folk over 70, there is a marked tendency towards helping the poor to keep up their own homes, however humble and poverty-stricken. It is quite impossible in a workhouse to arrange for husband and wife to remain together, and for their children to be with them. But the administration of "outdoor relief" is attended with great difficulty, and is open to much abuse. There are always tramps and wastrels, who, if they can get free food and a "dole," will never do a "hand's turn" of work. Such as these are likely to be encouraged by a lavish use of outdoor

<sup>1</sup> Under 4 & 5 Wm. IV. c. 76.

relief. The great problem, therefore, is to assist the deserving poor only—those who by illness or misfortune have come to grief—and to place them on their feet again, whilst rigorously suppressing the incorrigible loafer. The citizen of the future has one of his greatest tasks in solving this problem of how to help those that deserve help, without making the rates and taxes too heavy for the others, and without encouraging the drones to make the nation keep them.

The Guardians also enforce the Vaccination Acts. For this purpose they appoint a Public Vaccinator, who is a doctor, and a "Vaccination Officer," who goes round to see that no one evades the law.

### THE POOR RATE

And now, after having learnt a little about the Poor Law and how it compels a householder to contribute to the relief of his poorer brethren, let us for a few moments study the way in which the poor rates are fixed. It is only reasonable that, as every householder is forced to pay poor rates, he or she should know something about the way in which these imposts are levied, and how the money is spent. It would take a volume to go into the matter in any detail, so we must content ourselves with a few broad statements of the general method of procedure.

If you are not a householder yourself, you might ask your parents, or the person in whose house you live, to show you the "Demand Note" for the poor rate. These notes come in half-yearly<sup>1</sup> to every householder, and very unpleasant consequences follow if the money is not paid. If you examine this note you will see that the *Union* in which you live, and also the *Parish*, are mentioned in the heading; then your name and address appear, and then in a very direct manner, which does not sound at all polite, you find some words like these:—"The Overseers of the Poor demand payment of the Poor Rate, etc., etc." Underneath are figures showing how the total sum you have to pay is made up. Sometimes, especially in country districts, other items, such as the County Rate, the Education Rate, and the Expenses of the Guardians and Overseers, are included under the name of the Poor Rate. At the foot of the

<sup>1</sup> Quarterly in some places.

Note you will observe the name of the Assistant Overseer, who, as you learnt on p. 67, is the officer who does most of the actual work in the collection of the Rates.

#### MAKING THE ASSESSMENTS

And now let us ascertain how the Overseers contrive to make wealthy men pay more to the poor rate than those who can only afford a little; for it would be manifestly unfair for every one to be compelled to pay the same amount. Our system of rating roughly secures that the rich shall contribute more than the poor by looking at the kind of houses in which they both live, and calculating the "net annual value" of these houses. The Overseers perform this duty of estimating or "assessing" the "annual rateable value" of all the land, houses, and buildings in their district; and when they have made out their Valuation List, they affix a copy of it upon the doors of the churches and chapels in the Union, and exhibit it in certain other places to which the public have access. It is fairly easy for the Overseers to discover what rent a man pays for his house, but in cases where a man owns his house and pays rent to nobody, they have to make a guess as near as they can of the rental at which the premises might be expected to "let" from year to year. If an owner, or occupier, thinks he has been "assessed" too high—that is, if he considers that the Overseers have over-valued the "annual rateable value" of his premises—he can appeal to the Assessment Committee of the Guardians, and give reasons why he thinks the Assessment too high; and, if his reasons are good, the Assessment Committee may reduce the valuation.

The Assessment having at last been duly fixed, the figure becomes of great importance. Let us suppose that a householder finds that the "net annual value" of his house has been assessed or fixed by the Overseers at £30. Henceforward that householder will find that not only his poor rate, but also his other rates will be based upon that figure. The word "rate" comes from the Latin "ratio," and means a "proportion"; and the share a man pays of the local taxes is "in proportion to" the rent at which he is "assessed." Thus, if the local rates in your town come to 6s. 8d. in the £, it means that for every £ at which the Overseers have assessed your rent, you must pay 6s. 8d. per annum. The man, therefore, whose case

we have under consideration will pay thirty times 6s. 8d., i.e. £10 yearly to the Rate Collector, or £5 every half-year. You may very probably find that the rent you pay to the landlord is a little higher than the "annual rateable value" at which you are assessed. That is because the Overseers, in order to arrive at the net rateable value, deduct the cost of repairs, etc., necessary to keep the premises in sound condition from the "gross estimated rental."

### INEQUALITY OF THE RATES

The above plan of raising money is a rough and ready way of dealing with a difficult problem—the problem of making each man pay his proper share—neither too much nor too little. Some well-to-do people, who could easily afford to pay more, will live in little houses to escape paying a large sum to the rates. On the other hand, shopkeepers, who are obliged to take a heavily-rented house for the purposes of their trade, often pay an undue share. The rates vary enormously in different parts of the country, and are often heaviest when they should be lightest. Thus, in London, for instance, there are Boroughs in the East End where the various rates amount to over 16s. in the £. A man, therefore, inhabiting "a £50 house" in those parts may pay about £37 to the rate-collector, as well as his rent to the landlord. This, you see, is a very grievous hardship, and in poor districts the people often complain bitterly of the burden of the rates.

One of the reasons of this inequality in the rates is that in some parts of London, and in certain towns and districts in the country, there are large numbers of casual labourers, who in times of distress or of bad trade become a charge upon the rates; that is, they receive "outdoor relief," or they have to be supported in the workhouse. In such districts naturally the "poor rate" is very high, since it requires a large sum of money to relieve the necessitous cases.

### OTHER RATES

If you examine the next Demand Note that comes into your house, you may find another rate mentioned beside the poor rate, viz. the "General District Rate," called in Boroughs the "Borough Rate." Sometimes these rates are demanded

upon separate Notes, sometimes on the same paper. No uniformity of practice seems to be observed in all districts. In fact, the whole subject of local taxation is conspicuous for the number and variety of the rates, and of the authorities that may levy them, and the purposes to which they are applied. There is no more complicated portion of our laws than that dealing with the rates. If you should ever become a member of your District, County, or Town Council, you will soon find this out for yourself. It would be well if Parliament could find time to simplify the whole of our rating system, but it would be such a gigantic task that the legislature shrinks from attacking it. The Borough Rate, or General District Rate, represents the money that is to be spent upon all those things which you read about in the last chapter—sewers and drains, paving, lighting, and cleansing of the thoroughfares, etc., and all the other expenditure incurred, for the improvement of the town or district, and for the general benefit of its inhabitants. The amount each ratepayer must contribute towards these objects depends entirely upon the annual rateable value of his house or land, or of the premises in which he carries on his trade, and this figure—you will remember—is fixed by the Overseers first of all for the purposes of the Poor Rate. So you see now very clearly how important it is for a householder to be correctly “assessed.” If the Overseers overestimate the net annual value of his premises, then he not only pays too much in poor rates, but in every other rate as well.

People sometimes speak of the “water rate.” This is not a rate, if the householder pays for what he has actually consumed as measured by meter. But in London, where meters are not generally allowed, the sum paid for water bears a regular proportion to the rateable value of the premises and is therefore a true rate.

#### A SHORT TALK ON ECONOMICS

[Not long after the Great War the rapid increase in the Rates became a subject of deep anxiety. In some boroughs they rose by leaps and bounds until they exceeded the rent in amount. The causes of this excessive growth were many and various. First and foremost the “slump” in trade threw many people out of employment and they soon “came upon the rates,” i.e. had to seek relief from the Guardians (see p. 76) Large numbers of our soldiers returning from the war

and finding no work, also required assistance. Even those in regular employment found the high cost of living left them with but little to spend on the other necessaries of life, or to help those members of their family who were out of work. There was thus widespread distress among wage-earners which was intensified by prolonged strikes in the ranks of labour for objects of a political rather than of an industrial character.

To tide over the difficult period of transition from war to peace conditions, the Government granted large sums to assist ex-Service men and instituted a charitable system of weekly gifts of money (often called "doles") to relieve genuine and deserving cases among the unemployed—a system subject to considerable abuse by people who preferred to live on charity rather than by their own labour.

Notwithstanding the relief thus given by the taxpayers, there was much poverty that had to be dealt with by the Guardians; and the Poor Rate (see p. 77) rose sharply in almost every district. In some boroughs where the majority of the Guardians consisted of the representatives of labour, relief was granted on so lavish a scale that the Rates rose to an unprecedented figure. The amount of assistance not infrequently exceeded the wage-earning capacity of the recipients, thus removing any incentive to seek out or return to regular work. The Government was at length obliged to take steps to check the extravagant use of money drawn from ratepayers who themselves were too often in straitened circumstances.

The position of the ratepayers in the crowded and poorer boroughs of Eastern London is peculiarly hard owing to the amount required for the relief of the poor being much greater than that required in the richer West End boroughs, where comparatively few poor people reside. They suffer doubly because of their poverty<sup>1</sup>. This inequality in the poor rates of neighbouring London Boroughs has been recognised by Parliament and the London County Council has been required to establish an Equalisation Fund for the help of the poorer boroughs. For reasons too long to explain here, the working of this arrangement has not been wholly successful. You will quite understand that whilst the West End of London should undoubtedly help the poorer East End, it would only lead to abuse to allow the Eastern Councils to spend money recklessly upon doubtful methods of poor relief, relying upon the Western boroughs to make good any deficiency in the local revenues.

Those living in provincial cities should observe that the problem is not the same in their case. In great towns like Birmingham, Leeds, Glasgow, etc., the rich wards and the poor are all rated alike and the assistance of the poor in every ward is paid for out of a common fund. The question of equalisation of the poor rate does not therefore arise.

<sup>1</sup> The trouble is not new. Read the last few passages in chap. iii. of Dickens's "Uncommercial Traveller," written about 1860.

This important and very perplexing problem of the relief of poverty and unemployment is too great for full discussion here. It is one, however, over which every earnest citizen should exercise his best powers of thought. We may briefly indicate the lines of inquiry that should be pursued in order to arrive at some clear working principles in the treatment of unemployment—the chief cause of the rise in the Poor Rate.

The student should begin with reading one or two elementary works on "Economics"—a subject often deemed "dry" but full of fascinating interest after a few fundamental matters have been clearly grasped, such as the nature of Wealth and the difference between Money and Wealth, and between Wealth and Capital. He should then proceed to verify the statement that "wages are paid out of the product of labour," and examine how far it is possible in any Industry to raise wages without detriment to, or destruction of that Industry.

Having gone thus far the student must next realise that *modern* Britain lives by her Export Trade and that she must "sell or starve"—in other words, she must export enough coal and manufactured goods to secure enough imports of food to support her vast and ever-growing population, and enough raw materials to keep her factories busy and her workers employed. No other country is thus situated. Our economic problems are therefore different from those of other lands.

When once these basic economic facts are fully appreciated, the student of social questions will further realise that it is not out of the Rates or Taxes, but in the united efforts of employers and employed to maintain our Export Trade at its highest possible level that lies the best hope of providing permanent employment and a reasonably comfortable Standard of Life for the wage-earners of this country.

Here we must leave this momentous subject. The reader, however, who will pursue a course of study and research on the lines above indicated, may be assured that he will obtain a grip on the chief essentials of the economic problems of British Industry such as will enable him to discriminate between sound and unsound proposals for dealing with the twin evils of poverty and unemployment.]

### THE TAXES

Some people seem to think the Government has an inexhaustible supply of money drawn, as it might be, from some unfailing well. There could be no more ignorant fancy. The Government has no source of riches except the purses of the people. Rich or poor, all of us have to contribute something to the national purse or "Exchequer." And this we do through the Taxes.

Every year the Government requires a vast sum of money,

or "Revenue," wherewith to pay our soldiers, sailors, judges, civil servants, postmen, as well as for the battleships, guns, and other armaments for the Navy and Army ; also to provide for war pensions and meet the interest upon, and to pay off bit by bit the immense national debt contracted in time of war. As there are millions of people who cannot pay much, it is plain that some folks must contribute a very large sum every year into the National Exchequer.

### INCOME TAX

The device employed to make men with big incomes pay more than the men with small means is called the Income Tax. Every year a man has to state truly (he can be heavily fined if he gives false information) the amount of his income. This information goes to a Collector of Inland Revenue, who then sends him a notice that he must pay before a certain date such and such an amount of Income Tax. The Income Tax is always fixed for the year when the Chancellor of the Exchequer brings in the "Budget Bill" (see p. 17). You should inquire what is the present rate per £ and look out next April, when the Chancellor introduces his Budget, to see whether any alteration is made in this tax. To lessen the burden upon the poorer classes, nobody pays income tax whose entire income from all sources is less than a specified amount. On the other hand, rich men pay a super-tax, *i.e.* an additional income tax.

### DIRECT AND INDIRECT TAXES

Since a man pays the income tax *directly* into the hands of a Government Official, this tax is called a *direct tax*. Other direct taxes are those like gun licences, dog licences, carriages and motor-car licences, etc., etc., which have to be taken out at a post office. The money in that case is also paid over directly to an officer of the government. Then, too, the stamps that are put upon legal documents, or which you put on a receipt for payments over £2 in value, are direct taxes. There are, however, a great number of taxes which are not paid directly over to the Government, but which get into the Exchequer in rather a roundabout way. When, for instance, you buy a pound of tea, though you may not know it, you are paying a tax to the Government in an *indirect* manner. Every

purchaser of a glass of beer, wine or spirits, or ounce of tobacco is contributing indirectly to the Revenue. How does he do this ? Take the case of tea as an illustration. The man or merchant who buys the tea in India or China and "imports" it into this country, is not allowed by the Customs Authorities to retail it to the public until he has paid a tax of a few pence (varying from time to time) on every pound. This tax he, of course, adds to the cost of the tea, and then he adds his profit to arrive at the price at which it shall be retailed to the consumer. When, therefore, the housewife comes out of the shop with a pound of tea in her basket, for which she perhaps pays 2s. 8d., she has paid a tax upon the tea just as really as if she had first handed 2s. to the shopkeeper for the tea, and then gone outside and paid 8d. to a government official for the tea tax.<sup>1</sup> In our country we try to tax only the luxuries and not the necessities of life. As tea has only been known in England for about 300 years it cannot really be called a necessity, though many people have come to think it so ; whilst we could certainly live without intoxicating liquors and tobacco. These are all deemed luxuries, and are taxed accordingly.

But we cannot live without corn and meat, and these things are not taxed, though it is occasionally suggested that some imported foods might be taxed.

#### EFFECT OF TAXES

Taxes inevitably make commodities dearer, so it would be a hardship on the very poor to tax food. These are, however, political subjects unsuited to this little book, which is written simply to tell you about the position of the citizen in the State, and the duties of the State towards him, and of him towards the State. You will, however, not escape from the question of the taxation of food when you come to manhood or womanhood, and unless you bring sound and accurate knowledge to bear upon such matters, you will not know which way to vote. Try, therefore, to get at the basic principles of taxation, and thus prepare your mind for applying these principles to your politics. At present one of the principles that governs the taxation of this country is to regard taxes as unfortunate necessities, and levied solely to raise Revenue. Another principle is that taxes should press as lightly as possible

<sup>1</sup> Presuming the tax were 8d. on the lb.

upon the poorest members of the community, and that as few things as possible should be taxed, and these in the nature of luxuries. Thus we tax tea, wine, spirits, and tobacco, but not food ; carriages and motor-cars, but not tradesmen's carts or farm waggons ; dogs kept for pleasure, or hounds for hunting, but not the shepherd's faithful companion or the blind man's guide. Wealthy men have to pay for leave to keep butlers, footmen, grooms and menservants generally, also for displaying a " coat of arms " upon the panels of their carriages, etc., but there is no tax upon the less wealthy housekeepers who can only afford to keep a female domestic servant. No country in the world levies so few taxes as we do upon imports. Whether that is a sound policy or not is the battleground of the great controversy between Protection and Free Trade—a subject of the highest importance, and one upon which you should keep an open mind until you have mastered all the facts.

#### CUSTOMS AND EXCISE

To collect the Revenue upon all the tea, tobacco, wine, etc., that come into the country a small army of officials is required. You have, no doubt, read in various story books of exciting encounters between revenue officers and smugglers. Every rocky bit of coast-line has its "smugglers' cave" and some romance connected therewith. What is smuggling ? It is simply an attempt to get goods into the country without paying "customs duty." Tobacco, silk, lace, and brandy were the favourite objects of the smugglers' trade, and even to this day there is a certain amount of evasion of the revenue duties. When a traveller arrives at any port in this country from the continent or elsewhere, he is unable to get off the wharf until his baggage has been examined by the custom-house officers. The traveller is asked this question : "Have you anything to declare ?" which means, have you any goods in your trunk or portmanteau which are "dutiable" ? Sometimes the officer will take the traveller's word for it, and sometimes he insists upon searching the baggage for any cigars, tobacco, spirits, or other dutiable articles. If a false statement has been made and the traveller is found, after having denied it, to be in possession of such goods, he is heavily fined, and the goods are confiscated. Then, too, in order that small vessels may not run across from the continent to our shores laden

with "dutiable goods," many parts of the coast are patrolled day and night by coastguardsmen who keep a sharp look-out for smugglers. By means such as these the revenue is protected against the illicit and fraudulent entry of goods upon which duty ought to be paid.

When beer is brewed or whisky distilled in this country, the brewery or distillery is closely watched by the "excisemen" who measure the quantity of liquor brewed or distilled, and do not allow it to go out to the consumer until it has paid the excise duty. Thus you see the "Customs" look after goods arriving in ships at a port, whilst the "Excise" concerns itself with the commodities which are made inland, and are subject to taxation.

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Consult "Hazell's Annual" or "Whitaker's Almanack," and ascertain how much was expended last year out of the taxes upon (1) the Army; (2) the Navy; (3) the Civil Service; (4) Education; (5) Old Age Pensions; War Pensions; (6) Interest on the National Debt.
2. How was the National Debt incurred? How large is it? Are we paying it off?
3. How much is the Poor Rate in the £ in your town or district? How much also is the Borough Rate or General District Rate? What is the total per £ of your rates?
4. Consult the reference books named in Question 1 to ascertain how much Revenue was raised last year from (1) the income tax; (2) the tea tax; (3) spirit tax; (4) beer tax; (5) sugar tax; (6) tobacco tax.
5. From the same volumes find what we pay in tax on every lb. of tea, and tobacco, and sugar; how much on every gallon of "proof" spirit, and on every barrel of beer.
6. How much does a dog licence cost?
7. Rates and taxes are said to be "payments made by all for the good of all." How far is this true?
8. Are church and chapel buildings assessed to the rates? What papers have you seen affixed to your church or chapel door or hung in the porch thereof?
9. Why is a stamp on a letter not usually regarded as a tax?
10. What incomes are exempted from tax and at what income does super-tax begin? If for sake of argument you call him a rich man who pays super-tax, how many rich men (*i.e.* super-tax payers) are there in the kingdom (see "Whitaker's Almanack"), and by how much would each of us benefit if their income were divided up amongst us all? Compare that share with the drink bill per head (man, woman, and child) of the population.

## CHAPTER IX

### COURTS AND JUDGES

#### THE COMMON LAW

IF every one observed the Golden Rule, and did to his neighbours as he would that they should do unto him, there would be no need for Courts and Judges, Fines and Penalties, Prisons and Policemen. But among the millions of citizens there are always some who act unjustly towards their fellow-men, and we must, therefore, have some authority to settle disputes, and to decide what punishment must be meted out to those who commit crimes, or otherwise break the law.

Like every great institution in our land, the law has very slowly grown into what it is at present. Far away in the distant past, long before the Norman Conquest, our Saxon forefathers had their rules and customs by which land was bought or sold, held, and cultivated, and by which crime was punished. They had their meetings or councils for arranging their local affairs, and their rough-and-ready courts for trying persons charged with crime. We should not nowadays approve of all their methods either of trial or of punishment, but they believed in a *public trial, and that no man ought to be a judge in his own cause, or take the law into his own hands.* These are sound principles of justice which we hold to this day. It is certain that no people in the world, except perhaps the Romans, had so strong a sense of law and order as our “rude forefathers of the hamlet.” When William the Conqueror established himself in this country by force of arms, he found a number of customs and laws existing which he was far too wise to try to uproot. The Normans had no written laws of their own to bring with them when they invaded this country where Kings had been lawgivers. So in the 4th year of his reign, when the work of conquest had been completed, William ordained that

peace and security should be observed between his English and Norman subjects ; and for this end he renewed the " Laws of Edward the Confessor," with certain additions made by himself. What these laws were we do not exactly know, but this edict of the Conqueror shows that certain rules and customs, the basis of our Common Law, were already firmly established among the English people as early as the reign of Edward the Confessor. These laws, probably never committed to writing, were demanded regularly at the beginning of each new reign, until Magna Charta in 1215 supplied the people with a more substantial foundation for their liberties. The latter great " grant of liberties and privileges," containing 63 clauses, is so important that it was called by Lord Chatham "the Bible of the English Constitution," and by Hallam, "the Keystone of English Liberty."

You will read in your histories how both Henry I. and Henry II. were determined to establish a "reign of law," and that to those enlightened rulers—very different from William Rufus and Stephen—we owe largely the system of itinerant or travelling judges, who still carry the Royal Justice throughout the length and breadth of the land, and hold their Assizes or Sittings at the most important towns and cities.

Some of you may live in an Assize Town like Exeter, Leeds, Durham, Liverpool, and many others, and may have seen the Judges from the High Court of King's Bench, and may have wondered at all the pomp and ceremony with which they are received when they come to "clear the gaols" of prisoners awaiting trial, and to try "civil causes" that are not taken up to London to be tried there. We shall learn more about these judges and about the Assize System later in the chapter, but what you should now understand is that the establishment of itinerant or travelling justices above all things developed and settled the Common Law, which was in fact a careful selection from those usages which from time to time the commonsense of our countrymen pronounced to be valuable. The judges gave expression to the commonsense of the community, and thus the law grew, and adapted itself to the needs of the people in the days when there was no Parliament to make laws for them.

Thus gradually the general customs of the land became fixed rules or laws which all had to obey. The rules were by

no means always committed to writing or set down in any written statute or ordinance, but depended upon general acceptance for their support. For instance, it became a law with us that the eldest son should be the heir of his father's estate ; that a man charged with a crime should be tried by a jury of his fellow citizens, and that this jury should consist of "twelve good men and true" ; that a man should meet his accuser face to face, and that he should be accounted innocent until proved guilty ; that every man, whether of high or low estate, should be equal before the law, etc., etc.

Our Common Law is pre-eminently a native growth. Based on Saxon customs, moulded by Norman judges, and independent of foreign systems, it is, as Lord Bacon says, "as mixed as our language and as truly national."

The Common Law has in recent times been extensively embodied in Statutes, *i.e.* Acts of Parliament, which have both extended and modified it, and have fixed the fines and penalties for its infraction. They have also mitigated its severity, for the old Common Law was very strict and hard and narrow, and often bore harshly upon those who were little to blame.

As an instance of the severity of the Common Law, you may perhaps know that if a man borrowed money and failed to repay his debt when he had promised to do so, he could be cast into prison and there kept until the debt was paid. You may think this an extremely foolish proceeding, for how could a man be expected to pay his debt if he were kept in prison and so prevented from following his trade and earning money ? Nevertheless, it is not long since Debtors' Prisons were abolished.<sup>1</sup> Those of you who have read Dickens's "Little Dorrit" and the "Pickwick Papers" will recall that the famous author there describes, with his customary vigour and vividness, the misery of the imprisoned debtors, and the deplorable condition of their prisons.

#### EQUITY. COURT OF CHANCERY

Now there were often occasions when people accidentally broke the Common Law and became liable to severe penalties out of all proportion to their offence ; or perhaps they became

<sup>1</sup> Imprisonment for debt was abolished finally in 1869 by 32 & 33 Vict. c. 62.

the victims of some act of oppression by a rich and more powerful neighbour for which the Common Law afforded no redress. In these cases what were they to do? The law offered no remedy, and so they petitioned the King<sup>1</sup> to interfere on their behalf, and to grant them relief from the unreasonable fines or penalties to which they had become liable, or to protect them from the oppression and ruthlessness of some powerful personal enemy who threatened to deprive them of life or limb or livelihood. The King generally handed over these petitions to his Chancellor, who, as you will remember (see p. 40), was in early times a cleric. Thus the Chancellor became the administrator of the Royal Favour or "equitable jurisdiction of the Sovereign" as it was called.

When—as often happened—there was no law to fit the case, or when the Common Law Courts could not give adequate (Latin *aequus*) relief, the Chancellor's Court (or Court of Chancery as it was called) stepped in and secured Equity for the sufferer. For generations there was a lively jealousy between the Courts of Common Law and the Court of Chancery. The former objected to the interference of the latter, and watched the administration of Equity with a dislike that they did not conceal. The "equitable jurisdiction" of the Court of Chancery was founded on the supposed superiority of moral right over the strict letter of the law, and as Head of this Court the Chancellor was often spoken of as "the Keeper of the King's Conscience." You will gather then from what has been said, that the Court of Chancery or of Equity (for it is called by both names) was started with the idea of relieving the inequalities of the Common Law and of doing justice for the poor and oppressed. But it became, unfortunately, as the centuries rolled away, very dilatory in its action, and one to which none but the rich could afford to resort.

Those who have read Dickens's "Bleak House" will remember his tremendous indictment of the slowness and costliness of the Court of Chancery. Happily this charge is now a thing of the past. A great reform took place in 1873 when an Act of Parliament—the Judicature Act<sup>2</sup>—fused together the Courts of Common Law and of Equity. No

<sup>1</sup> See the *Times* of October 11, 1913, where the inhabitants of Dunton Green petitioned the King to protect them against the reckless driving of motors through their village.

<sup>2</sup> 36 & 37 Vict. c. 66.

longer was a suitor in seeking to establish his rights to go hither and thither—first to a Court of Common Law, and then to a Court of Equity until his patience and purse were exhausted. A few memorable words in that famous Act must be quoted, for every citizen ought to know, if he “goes to law,” that he will now have the benefit not merely of the strict law, but also of its equitable interpretation. The words referred to are as follows:—“In all matters on which there is any conflict or variance between the rules of Equity and the rules of Common Law in reference to the same matter, *the rules of Equity shall prevail.*”

Notwithstanding the fusion of the Courts of Common Law and of Equity, it has been found convenient to maintain the old names, and assign some cases to the “Common Law Side” and others to the “Chancery Side” of the High Court. For instance, all matters appertaining to Mortgages, Trusts and Trustees, Partnerships, the rights of Married Women, Infants and Lunatics, and the Specific Performance of Contracts are assigned to the Chancery Division of the High Court. Such cases are complicated and tedious, quite unfit for decision by a jury. Consequently you will not find juries in a Court of Chancery.

#### COURT OF KING'S BENCH

The King's Bench Division or “Common Law Side” of the High Court of Justice is presided over by the Lord Chief Justice of England. Most of the sensational cases you read about in the newspapers are tried by Judges of the King's Bench, whilst the fact that it is the judges on this side who “go on circuit” to the Assize Towns (see below) renders this branch of the Judicature more familiar to people generally. In addition to the King's Bench Division and the Chancery Division, there is yet another branch of the High Court of Justice, viz. the Probate, Divorce, and Admiralty Division (see diagram, p. 97), which gives judgment on disputed Wills, Matrimonial Cases, and Shipping affairs. It has two judges, the senior of whom is called the President of the Division.

#### ITINERANT JUSTICES OR “JUSTICES IN EYRE”

It generally happens that two judges are appointed to each of the eight circuits into which England and Wales are

divided ; one for criminal cases, one for civil cases. By *civil cases* we mean those difficulties between man and man which arise when one has a grievance against another—as, for instance, when an employee is wrongly dismissed by his employer, or when a person slanders or libels another, or when a dealer supplies goods of an inferior quality to those which he promised to deliver, etc., etc. The Assizes meet in large counties four times a year, in summer and winter for both criminal and civil cases, in spring and autumn generally for criminal cases only. The reception by the High Sheriff in his full uniform ; the blowing of trumpets when the Judge enters and leaves his gilded coach ; the picturesque javelin-men who walk beside it ; the solemn service in the chief church ; the magnificent scarlet robe of the criminal judge ; all this outward show is symbolic of the dignified character of the proceedings, and of the majesty of the law. In olden times the King was accustomed to make a progress through the land dealing justice to his people, and the ceremonious observances still maintained at the Assizes represent the homage originally accorded to royalty. The Judges come from the “King’s Bench,” that is from the seat of Justice once occupied by the King himself, and hence we pay the respect due to them as representatives of the King.<sup>1</sup>

### THE JUDGES

British justice is renowned throughout the world for its impartiality and for its swiftness. It is true that we still sometimes speak of the “law’s delays,” and there no doubt is room for an acceleration of the pace at which the business of the Courts is carried through. But, notwithstanding these defects, our system is recognised as one not excelled by that of any other country in the world. Much of this excellence is attributable to the high character of the Bench—as the Judges are collectively called. You have read, no doubt, in your histories that in early times the Judges were appointed by the King, and held office at his pleasure. That was a bad system, because a Judge was afraid of being dismissed if he gave a judgment displeasing to the Sovereign. You might search your history book for yourself, and find out the name of the

<sup>1</sup> See Shakespeare, 2 *Henry IV.*, Act 5, Sc. 2, lines 77–79 : “Your Highness,” etc.

great measures in the time of William III. which altered this state of things, and rendered the Judges irremovable by the Crown except on a joint address to the Sovereign from both Houses of Parliament. This grand independence of our Judges enables them to dispense justice without the fear or favour of any one; and as we believe in paying them very large salaries to raise them above all temptation of bribery, we have secured a judicial system in which corruption, such as you may occasionally read of in other lands, is quite unknown. There is no worse state into which any country can fall than when its Judiciary can be bought—that is, when they will take money from one party to deal unjustly towards another. As a good citizen you should be prepared to uphold the dignity of the Bench, by honouring the Judges, and by not grudging what may seem to you their very large salaries. It is of the utmost importance to each of us that the fountain of justice should be kept pure and free from the slightest suspicion of corruption.

You will read from time to time in the newspaper that His Majesty “has been pleased to appoint” Mr. So and So to the Bench. As a matter of fact the lower or “puisne” Judges are recommended for appointment by the Lord Chancellor, from among the leading barristers. The Prime Minister recommends to the King suitable candidates for the offices of Lords Justices and of Lord Chief Justice. Thus, again, you see that in accordance with our ancient way of doing everything in the name and under the authority of the Crown, the name of the chosen person is recommended to the King for appointment; and the King always appoints upon the advice of his Ministers. To enhance the dignity of their office the Judges of the High Court of Justice are offered a Knighthood. In the Courts they are always addressed as “My Lord.” Outside the Courts they are usually spoken of as Mr. Justice —. The higher judges are also made Privy Councillors,<sup>1</sup> and therefore are addressed as “Right Honourable.”

#### BARRISTERS AND SOLICITORS

The legal profession is divided into two branches—Barristers and Solicitors. Barristers are “called to the Bar,” as it is

<sup>1</sup> As Privy Councillors they sit upon the Judicial Committee (see p. 50).

termed, by one of the four ancient and honourable Societies of Lincoln's Inn, the Inner Temple, Middle Temple, or Gray's Inn. Leading barristers are raised by His Majesty to the rank of King's Counsel (K.C.). It is the sole privilege of barristers to appear and plead in the High Court and Courts of Appeal.<sup>1</sup> They are always then robed in black gowns and wear wigs. K.C.s wear black silk gowns. Solicitors are legal agents acting for their clients, and employ barristers when the case requires careful advocacy before the Courts. Solicitors are entitled to appear in the County Courts, and Petty Sessional Courts, but even then, in difficult cases, it is usual to employ Counsel—as barristers are called. Solicitors conduct a vast amount of work that requires special training and expert legal knowledge—quite outside the work of the courts, which, of course, are employed solely in deciding disputes. They are admitted solicitors after examination by the Incorporated Law Society, and pay an annual fee to the Government for permission to practise.

### THE LAW COURTS

When next you visit London you should go to the Law Courts in the Strand, and watch the course of a trial. You will learn more from a few hours spent inside the Court than you can learn from reading any book. Remember that the Courts of Law are always open to the public—there is no secret administration of justice in this country. You are not likely, however, to see a criminal trial at the Law Courts in the Strand. You should, if you wish to witness a criminal trial, visit the Court when the Assizes are held at your County Town, or the Central Criminal Court at the Old Bailey, London, which sits every month for the trial of prisoners who are charged with serious crimes committed in or about London.

### THE COURTS OF APPEAL

Our legal institutions comprise many other courts than those so briefly described above.

If the suitor is dissatisfied with the judgment of the High Court, it is open to him to appeal to still higher tribunals. He can carry his case to the Court of Appeal, where it will be

<sup>1</sup><sup>1</sup> Women may now qualify as Barristers or Solicitors since the passing of the Sex Disqualification (Removal) Act, 1919.

heard by three "Lords Justices," who are of higher rank and wider experience than the Judges of the lower Courts. Lastly, if still dissatisfied with the result, he can take his cause to the House of Lords, where certain "Law Lords," presided over by the Lord Chancellor, will give a patient hearing to the case and then deliver a judgment which is absolutely final. There is no appeal from the House of Lords. Certain of the Law Lords are chosen because they have occupied, earlier in their career, some high judicial office. They are raised to a seat in the House of Lords, under the title of Lords of Appeal in Ordinary, with a life peerage (see p. 42). Of the Judicial Committee of the Privy Council as a Court of Appeal from the Colonial and Indian Courts and for Ecclesiastical Causes you have already heard (see p. 50).

#### COUNTY COURTS

If a man owes another some money and refuses to pay, he can be compelled to do so by the Courts of Law. But if the sum is only a small one many people would rather suffer its loss than be put to so great an expense as would be incurred if the case were taken for trial to London, or even to the nearest Assize Town. To enable small debts to be recovered, as well as other minor disputes to be settled with as little cost as possible, a large number of smaller courts, called "County Courts," were established in the year 1846.<sup>1</sup> The County Court Judges, who are addressed in Court as "your Honour," are appointed by the Lord Chancellor. They each have a "circuit" under their charge, containing a number of district courts. England is divided into about five hundred districts, and each judge holds his Court in each of his districts at frequent intervals. Claims for debt or damages up to £100 can be tried in the County Courts.<sup>2</sup> A jury of eight men may be employed if suitors so desire, in cases where the sum in dispute is over £5; and in cases involving more than £20 the parties, if dissatisfied with the ruling of law of the County Court Judge, may appeal to the High Court of Justice.

<sup>1</sup> By 9 & 10 Vict. c. 95.

<sup>2</sup> The County Courts Act, 1919, enables many other kinds of cases formerly tried only in the High Court to be transferred to the County Court, but the £100 limit still remains.

## PETTY SESSIONS

A great many criminal offences of a less serious character are never brought to the Assizes at all, or to the Old Bailey (see p. 94), but are disposed of locally by the County or Borough Magistrates (see p. 61) sitting either in Petty Sessions or in Quarter Sessions. Let us take the lower court first, namely the Court of Petty Sessions. The punishment of petty offences, such as being drunk and disorderly, using foul language in the streets, picking pockets, assaults, etc., etc., are the staple business of these Courts.<sup>1</sup> They also take note of any breaches of the local bye-laws (see p. 58), and are empowered to inflict fines upon parents who do not send their children to school. The police are very much in evidence in these courts, which are in consequence called "Police Courts." When a very grave crime has been committed, the police first bring the prisoner to the Police Court, and if the Magistrates, after hearing the charges and examining the witnesses, think the case is outside their powers, *i.e.* is too serious for them to deal with, they commit the prisoner to take his trial at the Quarter Sessions (see next chapter), or, if a very bad case, at the Assizes. The Depositions or Statements made by the accused and the witnesses are taken down in writing, and read aloud to the prisoner, after which they are signed by the "deponents" and sent forward for the use of the higher court. Sometimes, but not if the charge is of a very grave character, the accused is "admitted to bail," that is, the prisoner's friends promise to pay a large sum of money if he does not appear for trial at the specified time. Sometimes the accused's own promise to appear is accepted, and he goes free until the day of the trial. Sometimes again the police have not had time to get the witnesses together and to secure the necessary evidence. The magistrates may not feel inclined to allow the accused to be at large, and they "remand" him, that is, he is kept in prison for a period not exceeding 8 days before being again brought up before the Bench. If important witnesses cannot be found, or if there are other unavoidable delays, a prisoner may be "remanded" several times.

The Courts of Petty Sessions are presided over by two or more unpaid magistrates (*i.e.* Justices of the Peace), who are

<sup>1</sup> There are proposals before Parliament for extending the number of offences that may be dealt with at Petty Sessions.

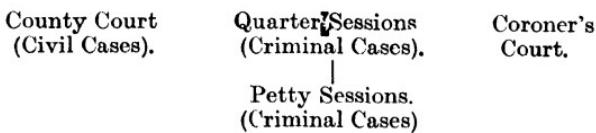
not—as a rule—trained in the law. They are, however, assisted by a Clerk who is a lawyer, and as already stated (see p. 61) in London and the large towns where there are many cases daily to deal with, a Stipendiary Magistrate is appointed to relieve the magistrates of the work. There is no jury in a Court of Petty Sessions. The cases are such as can be dealt with by the magistrates alone, and summarily,—consequently this court is often spoken of as a court of “summary jurisdiction.” In all the higher criminal courts, however, you will find a jury of 12 men.

Of Courts to which children accused of breaking the law are brought we shall have something to say in a later chapter (see p. 186).

The following diagram shows the relative rank of the Courts of Justice in this country :—



There are also the :—



#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Which is your nearest Assize Town ? When do the next Assizes begin ?
2. Where is your nearest County Court, and who is the County Court Judge of your district ?
3. Where is your nearest Court of Petty Sessions ? Is it presided over by two Justices of the Peace, or is there a Stipendiary Magistrate ?

4. What is a "Ward in Chancery"? (See "Encyclopædia Britannica," under heading "Infant.")
5. What was the Habeas Corpus Act of 1679, and what rights does it secure to us?
6. Discuss how far punishment should be (1) retributive, (2) deterrent, and (3) reformatory.
7. If a man is able to pay a debt and is ordered by a Court to do so, what is the punishment if he refuses to obey the order of the Court?

## CHAPTER X

### *COURTS AND JUDGES (Continued)*

#### JUSTICES OF THE PEACE

AMONG the oldest and most valuable public servants in our land are the Justices of the Peace, persons who, by reason of their local importance, are entrusted with a Commission from the Crown to maintain the King's Peace, and to punish those smaller breaches of the law which we call offences rather than crimes. These magistrates are appointed by the Lord Chancellor, generally upon the recommendation of the Lord Lieutenant<sup>1</sup> of the county, and were, up to quite recent times, always selected from among the county gentlemen of wealth and position. You have learnt, however, that the Chairmen of the County, Borough, and of the District Councils are, nowadays, Justices in virtue of their office. The very name of Justices of the Peace implies that their first duty is to keep down broils and tumults, or anything that would lead to a "breach of the peace." They had formerly to see that the roads were safe for travelling, and that robbers and highwaymen were hunted out and sent for trial at the next Assizes. Under the reigns of the Tudor and Stuart Kings the number of Justices was increased, and more duties were imposed on them by Parliament until they became practically the rulers of the county, and when they met (as they still do) at Quarter Sessions, they not only tried the prisoners who were put before them, but did many things for the regulation of the affairs of the county. For instance, they used to appoint constables to assist in preserving the peace, and also had charge of the main roads and of the county bridges, and it was the duty of the Justices to see that these were kept in good repair. Some of these very considerable powers they possess to this day.

<sup>1</sup> Now aided by advisory committees.

Many of their duties, however, have been placed elsewhere. You have learnt (see p. 70) that the County Councils nowadays look after the main roads and bridges. The Justices have, however, a share of control (see p. 70) over the County Constabulary. But in other directions they have a considerable remnant of authority. They can issue "warrants" for the apprehension of suspected people, also "summons" to bring people before them to answer certain charges.

A "warrant" is an order for a suspected person's arrest. A "summons" is an order requiring a person to present himself at the Court upon a certain day.

The powers of the Justices are chiefly apparent when they sit at Petty or Quarter Sessions. For instance, if some neighbour's dog bit you, and you went in fear of being bitten again, and your neighbour refused to keep the dog under control, you could go to the nearest Court of Petty Sessions and ask the magistrates to issue a "summons" against the owner of the dog. This they would do, and a policeman would deliver the summons at the dog-owner's house. At the next sitting of the magistrates the dog-owner must appear, or send some responsible person, to explain why he did not keep the dog under control. If he did not appear or send a substitute he could be arrested. If he could not give a satisfactory explanation why the dog was allowed to be at large, the magistrates might order the dog to be put to death, or at all events kept strictly chained up.

#### QUARTER SESSIONS

Having learnt something about the Court of Petty Sessions, and of the magistrates who dispense justice in that Court, let us turn to the next of our Criminal Courts, in which the Bench is occupied by Justices of the Peace—those unpaid administrators of the law to whom the country owes so much.

At Quarter Sessions the magistrates can try much more serious offences than those dealt with at Petty Sessions. As their name indicates they are held every quarter, and although two justices are enough to form a Court, a large number generally attend as the occasion is one of much importance. The Court of Quarter Sessions is presided over by a Chairman,<sup>1</sup>

<sup>1</sup> Assisted by a Clerk who is always a lawyer and styled the "Clerk of the Peace."

who is generally a man of high position in the county, and one with a good deal of legal skill—for you perhaps know that it is a tradition in our land that a county gentleman, with large estates to manage, ought to study the law and be called to the Bar, even if he does not practise afterwards. In Town, the Quarter Sessions of the Borough Magistrates are presided over by the Recorder—a barrister of high standing, appointed by the Crown on the recommendation of the Lord Chancellor. A jury is usually summoned to assist the Chairman or Recorder at Quarter Sessions. Very large powers of punishment—even penal servitude—are entrusted to this court, but murder and some of the very grave crimes cannot be taken at Quarter Sessions, and must be sent to the Assizes for trial.

#### THE JURY—PETTY AND GRAND

To serve on a jury is a duty which may, and generally does, fall on every citizen at some time or other in his life. Juries are always employed in criminal cases at the Assizes and at Quarter Sessions. There is, too, usually a jury at Coroner's inquests, and sometimes they are demanded in civil cases in the King's Bench Division at the Law Courts in London, and in the various County Courts. Thus you see there are plenty of occasions on which a householder may find himself summoned for jury-service. In London, indeed, where there are so many courts, and where all the very heavy cases are tried—many of them occupying several days, and even weeks—the burden of jury-service is very great, and tradesmen have sometimes been ruined by being kept so long from their business. But though these hardships undoubtedly occur, the method of trial by a jury of one's fellow citizens is rightly regarded as one of the greatest bulwarks of our ancient liberties.

In our country the jury is chosen indiscriminately from a long list of people living in the neighbourhood. In a criminal trial it is the jury's duty to hear all that is said for and against the prisoner or defendant, to listen to what the judge tells them about the law, and then to say whether they think the prisoner "guilty" or "not guilty." A very trivial payment is made to jurors, though "special jurymen," drawn from a higher rank in life, receive a fee of one guinea for every case..

The great use of a jury is to determine questions of fact.

When a number of men are taken at random, it is very unlikely that they are all friends or enemies of the parties. It is much more likely that they will be unknown to them, and therefore will form an impartial tribunal.

Since 1919 women may serve upon a jury.<sup>1</sup> You must decide for yourselves whether you think it has been wise to admit women to this arduous and often painful duty of citizenship.

The juries of which we have been speaking are styled in legal language Petty (*i.e.* small) juries, and it may interest you to read the quaint and ancient form by which London citizens are summoned to the Old Bailey to serve on a Petty Jury in the Central Criminal Court (see p. 94).

Petit Jury		3000
Central	A———B———	I
Criminal		1911
Court.	of (Here follows A. B.'s address)	

COUNTY OF LONDON. By virtue of a warrant from the Sheriff of the County of LONDON to me directed, I summon you to be and appear before HIS MAJESTY'S Judges and Justices, at the Central Criminal Court in the OLD BAILEY in the suburbs of the City of London on      day the      of      19 at HALF PAST TEN of the clock in the forenoon PRECISELY to do such things which on the part of our Sovereign Lord the KING then and there shall be enjoined you.

Whereof fail not as you will answer the contrary at your peril

Dated this      of      19  
 C —— D ——  
 Summoning Officer

N.B. The production of this Summons will facilitate your admission into the Court.

NOTE.—That if any Juror shall not appear pursuant to this Summons, the Court will set a fine upon him, unless some reasonable excuse shall be proved by Oath or Affidavit WHICH MUST BE SWORN IN COURT. No notice will be taken of Medical Certificates or other communications sent to the Summoning Officer.

<sup>1</sup> Under the Sex Disqualification (Removal) Act.

There is another jury about which you must now learn something, viz. the Grand Jury.

Though this is one of our most ancient legal institutions, quite a number of lawyers to-day think it superfluous. No doubt it had its uses in times past, but now, when the administration of justice is much more thorough, efficient and careful, there really remains very little for a Grand Jury to do. Nevertheless, just before the Assizes or Quarter Sessions, a jury—generally drawn from among the J.P.'s for the county, and numbering twelve to twenty-three persons—meets, and under the direction of the Judge goes very briefly over the charges that are brought against those awaiting trial. The jury sits in private (neither the prisoner nor counsel are present), and hears only the evidence in support of the charge. If they think that the charge appears to be well founded they mark “the bill of indictment,” “true bill,” and the case proceeds to trial. On the other hand, if—as very rarely happens—they consider the indictment is not borne out by the evidence, they mark it “no true bill,” and the prisoner is at once liberated.

[During the Great War the Grand Jury system was suspended by Act of Parliament<sup>1</sup> “during the continuance of the war and for a period of six months after the termination thereof” (see p. 51). During that time no complaint seems to have been made by accused persons or by their prosecutors that any ill results had been occasioned to the public or to individuals, whereas a great saving of judicial time and of public and private money had been effected. At the expiration of the period specified in the Act, Grand Juries again began to be summoned as before, despite the protests of many distinguished Judges and Chairmen of Quarter Sessions. In the far distant past when the preliminary inquiries now made in the lower Courts were non-existent or less careful and exhaustive than at present the Grand Jury undoubtedly afforded a protection to the accused. To-day, however, their function would appear to be quite superfluous, but with the remarkable tenacity with which we English people cling to old institutions, we are slow to dispense with even the slender services of the Grand Jury.<sup>2</sup>]

#### THE STRONG ARM OF THE LAW

You are sometimes told that civilisation has so far advanced that the Law no longer relies upon physical force for its authority, but it is accepted because it is “reasonable,” and is obeyed

<sup>1</sup> Grand Juries (Suspension) Act, 1917.

<sup>2</sup> It is probable that Grand Juries will be abolished at Quarter Sessions.

" by popular consent." Do not be under any delusion upon this subject. The law rests to-day, as it always has done, upon physical force. The policeman is "the strong arm of the law," the executive officer, who by main force apprehends, and compels the law breaker, whether man, woman, or child, to come before the Judge. And afterwards, it is by physical force that the culprit is haled to prison and compelled to perform distasteful tasks. Even a simple bye-law of your town, such as that which directs that no rubbish or offensive matter shall be thrown into the streets, rests for its validity upon physical force. What would happen if you broke this bye-law? You would receive a "summons" from the magistrates to appear at their court and answer for your disregard of the bye-law. If you took no heed of this summons you would soon find yourself arrested by some stalwart policeman, and before long you would be heavily fined. If you declined to pay the fine, you would be *forcibly* taken to prison. If you struggled you would be placed in handcuffs. It is the same with every law you like to name. Disobedience to its mandates renders you liable to compulsion by physical force.

Seeing that our laws are made in Parliament by the representatives of the people, we are prepared to yield a ready consent to them, and to the application of physical force against those who wilfully break them.

The policeman is therefore an officer to whom each and all of us are indebted for the maintenance of the law, and for the apprehension and safe-keeping of lawbreakers, as well as for many other services to the public, such as the regulation of traffic, the protection and restoration of lost property, etc.

A private citizen has the right, and indeed *ought* to arrest anyone whom he sees in the act of committing a crime. The policeman, however, is endowed with larger powers. He may arrest a man on suspicion, even though he does not know for certain that a crime has been committed; he may even arrest a man simply because he looks as if he were going to commit a crime. In most cases, however, the policeman acts under the authority of a "warrant" granted by a magistrate.

#### SPECIAL CONSTABLES

Even at the present day every able-bodied man is liable to be compelled to serve as constable of his parish, or to find a fit substitute; and the duty of preserving the peace has

sometimes to be undertaken by "special constables." In times of great disturbance—as for instance during a general strike—special constables are enrolled from among the ordinary citizens. They wear a badge and are armed with truncheons.

#### THE CORONER'S COURT

The Coroner's Court can hardly be termed a Court of Justice. It is really an inquiry or inquest held in cases of accidents or sudden death, whenever there is reason to suspect that a person has come to his death by accident or foul play. The Coroner, who is appointed by the County Council, is usually a medical man and often also a barrister. A jury of at least twelve men assist him in deciding the cause of death. When there is a verdict of murder or manslaughter necessitating the trial of the slayer at the Assizes, the Coroner can bind over the witnesses to give evidence at the trial, and he sends the depositions, *i.e.* the written statements of their evidence, to the Court before which the trial will take place.

Curiously also the Coroner has to hold an inquest upon "treasure trove," that is, buried money or valuables that are accidentally discovered, the ownership of which is not known or is in dispute.

#### AT A CRIMINAL TRIAL

Nothing has been said so far upon the actual procedure inside the court at a trial. As all the sensational criminal cases are fully reported in the newspapers, an intelligent reader soon becomes familiar with the general method of conducting a criminal trial. You have all read of the prisoner in the dock facing the judge, the jury in their box on one side of the judge, and the barristers or counsel in wig and gown seated in the space between the dock and the Bench. You know also of the swearing in of the jurymen to "well and truly try" the prisoner at the bar; you have heard about the reading to the accused of the Indictment, *i.e.* the charge or arraignment made against him, and the question put by the Clerk of Arraigns: "Do you plead 'Guilty' or 'Not Guilty'?" These must be quite commonplaces to you if you read the daily papers. You will perhaps also know that the "case for the prosecution" is opened by Counsel for the Crown, and that the witnesses for the Crown are then called, and declare what they know of the circumstances, and what they saw with their own eyes. They

must not say what they were told by somebody else—that is, they must not give “hearsay evidence.” The accused’s counsel then “cross-examines” these witnesses, which does not mean that he examines them crossly, but that he is at cross-purposes with them, and so tries to shake their evidence, and to prove that they were mistaken in what they saw, or in what they think are the facts of the case.

Then it becomes the turn of the Counsel for the Defence to call his witnesses in favour of the prisoner, and then for the Counsel for the Crown to cross-examine them. Since 1898,<sup>1</sup> a prisoner may give evidence on his own behalf, *i.e.* he may speak for himself in his own favour. But he must then submit to cross-examination by the prosecuting counsel, and unless he is really innocent of the charge, he is much more likely to do himself harm than good by going into the witness box.

After the conclusion of the evidence the jury are addressed by the respective counsel, and lastly the Judge “sums up,” and points out to the jury the strength or weakness of the cases for the prosecution and the defence. He also explains the law to the jury, and finally dismisses them to consider their verdict. The jury are locked up,<sup>2</sup> and no one may speak to them or influence them in any way whilst they are deliberating—often upon the life, and always upon the liberty of the man in the dock. When at last they have arrived at a unanimous verdict, they return to the court, and their spokesman or foreman declares that they have found the prisoner either “Guilty” or “Not Guilty.” If “not guilty” the judge instantly discharges the prisoner, and if “guilty” he proceeds to pronounce sentence. The sentence, of course, varies with the gravity of the offence, and with the known character of the prisoner. He may be lightly dealt with, or the heaviest sentence allowed by the law may be inflicted. You must remember that the judge cannot do just as he likes—he must not inflict any penalty except that allowed by statute. Nevertheless, judges have a large discretion in the nature and in the severity of the punishments they award.

Until the year 1907, there was no appeal from the decision of the judges in the Criminal Courts; but in that year the Criminal Appeal Act<sup>3</sup> was passed, which gave to a convicted

<sup>1</sup> 61 & 62 Vict. c. 36.

<sup>2</sup> Unless they at once find the accused guilty or not guilty, without leaving the jury-box.

<sup>3</sup> 7 Ed. VII. c. 23.

person for the first time a right of appeal. The appeals are heard by three judges of the High Court, who may quash, diminish, or increase the sentence of the lower court if they deem it wrong, too severe, or too lenient.

### A CIVIL ACTION

Though as said above you are very likely to be acquainted with the main features of a criminal trial, you may not be equally familiar with the process of law known as a civil action—that is one in which a “plaintiff” seeks to establish his rights, or obtain damages from some one, the “defendant,” by whom he has been injured—either in his business, property, or person, or character.

The first step in a civil action is “the issue of the writ.” You have here reproduced an actual writ in which the names only are suppressed—the rest being copied from the actual writ in a very well-known case which occupied the attention of the court for several days.

### A WRIT

In the High Court of Justice,  
King's Bench Division.

1909 G No. 1407

BETWEEN A—— B——

and

Plaintiff

C—— D——

Defendant.

EDWARD THE SEVENTH by the Grace of God of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, King, Defender of the Faith to

C—— D——

of (here follows C. D.'s address)

WE command you that within 8 days after this service of the Writ on you inclusive of the day of such service you do cause an appearance to be entered for you in an action at the suit of

A—— B——

And take notice that in default of your so doing the Plaintiff may proceed therein, and Judgment may be given in your absence.

Witness Robert Threshie Baron Loreburn Lord High Chancellor of Great Britain the 21st day of July in the year of our Lord, 1909

You see from the above, that the writ is issued in the name of the King, again illustrating the way in which we English preserve ancient forms and traditions. For originally, every misdeed, even a slander, was held to be likely to cause a breach of the King's Peace, and was an offence against the King's Majesty itself. It was therefore proper for the King to summon the misdoer to his Court, and for the Chancellor who was his Registrar or Secretary to see actually to the issue of the writ. Endorsed upon (*i.e.* written on the back of) this writ were the words

**"The Plaintiff's Claim is for Damages for Slander,"** and then followed a statement of when and where the slander was uttered.

The Defendant upon whom a writ is served—whether he likes it or not—must arrange for "an appearance to be entered," that is, he must give the Plaintiff and the Crown some acknowledgment that he has received the writ, and is prepared to answer the claim.

#### SUBSEQUENT STEPS IN THE ACTION

This first step in the action is followed by a series of other steps. The Plaintiff next draws up (a barrister is generally employed to do this work) a "Statement of Claim," which sets out with great precision exactly what the plaintiff complains of, and the remedy that he desires the court to grant. The Defendant then follows with a "Defence," showing as far as possible that the plaintiff has suffered no injury, and really has nothing to complain of.

You will not expect this short account of an Action at Law to go into further details.

#### THE TRIAL

Eventually—generally after some weeks or months—the parties have got everything in readiness, and the case is "put down for trial," and waits its turn in the list. As the day approaches the witnesses are brought together—sometimes they have to be fetched from the provinces or even from far distant parts of the world, and the case is ultimately called on for trial. The counsel for the plaintiff states the facts to the jury, and then calls his witnesses to verify and support his statements. These witnesses are cross-examined by the defendant's counsel.

Then the counsel for the defence opens his case and calls his witnesses, who in turn are subjected to a cross-examination by the plaintiff's counsel. Then each counsel reviews the whole case from his client's point of view ; the judge "sums up" ; and the jury retire to consider their verdict. In the actual case from which this sketch of these proceedings is taken, the jury found damages for the plaintiff to the amount of several thousand pounds. The defendant took his case to the Court of Appeal which disagreed with the court below, and relieved him of the payment of the excessive damages which the jury had fixed.

When no jury is employed, the judge alone decides the matter. In difficult cases he often reserves judgment for prolonged consideration.

In the County Courts the whole procedure is much simplified and shortened, and there is no tedious waiting. The judge hears the case as soon as the parties are ready for the trial.

### THE POOR LITIGANT

"Going to law" is usually a costly business, as counsel and solicitors receive fees which a poor person could not often afford to pay. People who were practically destitute could plead their extreme poverty and the Court would then appoint counsel and solicitor to take up their case.

But this was no help to a person who though not a pauper was yet too poor to risk the expense of an attempt to have his wrongs redressed in a Court of Justice. In 1914 a long overdue reform was introduced by which a litigant who can satisfy a judge that he has good grounds for "going to law," and that he is not worth £50 (or in special circumstances £100) exclusive of his wearing apparel and the tools of his trade, is enabled to bring or defend an action without paying fees and with voluntary legal assistance. Lists have been prepared of counsel and solicitors who are willing to assist poor persons in the conduct of proceedings.

One other point you should note. From time immemorial it has been the privilege of every British citizen to appear in person on his own behalf in any Court in the Realm, as plaintiff or defendant, and this is not an infrequent occurrence in our Courts. But a litigant is usually better advised to leave this work to a trained advocate.

**QUESTIONS FOR DISCUSSION AND RESEARCH**

1. Where is your nearest Court of Quarter Sessions held ?
2. If you live in the country, who is the Chairman of your Quarter Sessions ; if in a big town, who is the Recorder ?
3. Name some of the Justices of the Peace residing in your locality.
4. What persons are exempted from jury-service ?
5. "Five shillings and costs, or seven days." This is the type of sentence often delivered by the magistrates. Discuss the justice of making imprisonment the alternative of non-payment of a fine. Is it in accordance with the principle of the equality of all men before the law ? Do you see any objection to allowing poor men to be liberated on bail, and allowed to pay off the fine by instalments ? (See p. 187.)
6. Can a Coroner send a man to prison ?
7. Is a prisoner who is found "guilty" punished more severely if he has pleaded "not guilty" ? Explain why judges often recommend a prisoner who was taken in the act of committing a crime to plead "not guilty."
8. What are the "Brewster Sessions," and of whom is the Court composed ?
9. What happens if a jury cannot come to a unanimous verdict ?
10. In Scotland a jury may find "guilty," "not guilty" or "not proven." Discuss the merits of this usage.

## CHAPTER XI

### SOLDIERS AND SAILORS

#### INTRODUCTORY

[THIS chapter was first written in 1913. In August of the following year there broke out, quite suddenly, the greatest and most sanguinary war known to history. In that titanic struggle between the forces of Freedom and Despotism, Great Britain, though unprepared for war, took a wonderful and glorious share.

The Navy proved indeed to be, in the words of H.M. the King “the Sure Shield of Britain and of her Empire in the hour of trial.”<sup>1</sup> Warships of all kinds were rapidly built, and a demand for men was made far beyond the ability of the Royal Naval Reserve to provide. They were all obtained, however, by voluntary enlistment. Hundreds of business and professional men, eager to serve at sea, offered themselves and after a brief training were taken into the Navy as temporary officers. But chiefly the Navy relied for volunteers, and relied not in vain, upon the patriotism and experienced knowledge of our seafaring population. Under the guidance of the regular naval officers, the officers of the mercantile marine rapidly became proficient in their war duties and rendered most zealous and expert service throughout. The fine record of these men and of the hardy skippers and sailors of our fishing fleets will ever be proudly remembered by a grateful country.

Long before the end of the war, the Navy developed overwhelming strength both in ships and personnel. In 1916 one of our Ministers truly stated that “the world had begun to realise that it was on the basis of the British Fleet that the whole of the Allies depended and all military successes were founded.” Since the termination of the war scores of ships of all sizes and descriptions have been broken up, thousands of men discharged, and a general reduction from a war to a peace basis steadily pursued—largely in the interests of public economy; partly also in pursuance of an agreement arrived at in Washington for the limitation of naval armaments—a subject to which reference is again made at the end of the chapter. So complete is

<sup>1</sup> From His Majesty's Message to senior naval officers on foreign stations, August 5, 1914.

now the reduction in the strength of our Navy that responsible statesmen are asking whether it has not fallen below the safety limit.

Though the demand for men for the Navy was large it was obviously far less than the requirements of the vast Armies which had to be formed and trained in great haste on the outbreak of the war. When voluntary enlistment failed to secure the necessary recruits recourse was reluctantly made to compulsory service, which was first introduced in January, 1916.<sup>1</sup> To begin with, the unmarried men only were compelled to "join the colours," but their numbers proving insufficient, married men were soon called up,<sup>2</sup> and later still the age limit was extended.

Millions of our countrymen were thus trained to arms. Side by side with our Allies, they fought on many fronts aided also by the hundreds of thousands of our oversea "cousins" who hastened from the Dominions, from India, and from every corner of the Empire to stand by the Motherland in her hour of need. For over four years the Allies battled against and, after terrible sacrifices, finally vanquished a foe who, in his ruthless lust of conquest, cast aside every consideration of humanity and adopted—on land and sea—methods of warfare that horrified the conscience of the civilised world.

On November 11, 1918<sup>3</sup> ("at the 11th hour of the 11th day of the 11th month"), the Germans signed the Armistice for which they had asked, and the fighting ceased. Our immense armies, dispersed in various countries, could not, however, be instantly disbanded though the process of releasing the men at once began. It was not until April 30, 1920, that demobilisation was practically complete and the British Army again placed on a basis of voluntary service. It is the expressed intention of our rulers to reduce its size and organisation to that which existed before the war.

A short account has been added of the Royal Air Force. Given also are some notes on the League of Nations and the Washington Conference on the Limitation of Armaments, which may perhaps be helpful to older students.]

### THE BRITISH NAVY

We usually speak of "Soldiers and Sailors," but it would be more correct, perhaps, to reverse the order of these words, and to say "Sailors and Soldiers," for the good reason that the Navy is the "Senior Service," and our "First Line of Defence"! You will see at once why the Navy must always stand foremost among the armed forces of the Crown. Since

<sup>1</sup> Under 5 & 6 Geo V. c. 104.

<sup>2</sup> Under 6 & 7 Geo V. c. 15.

<sup>3</sup> A date and hour we have since reverently commemorated.

Great Britain and Ireland are islands, we rely upon the Navy rather than upon the Army to repel any invasion of a foreign foe, and unless the sea were denied to the warships of the enemy in time of war our soldiers would not be able to go to the assistance of any portion of the Empire that might be in danger.

We therefore need a Navy strong enough not only to guard the Homeland from attack, but in time of war to protect our transports and to keep open and safe the "sea-paths" along which trading vessels bring our food supplies and the raw materials for our factories. That is what we mean when we say that it is essential to the very existence of the Empire that the British Navy shall be supreme at sea. Statesmen of both the great parties recognise this all-important principle, and when discussing naval questions in Parliament are ready to sink personal and political differences, and combine in the maintenance of a powerful fleet. If they disagree at all upon this momentous subject, it is only on the question whether the money voted for the ships is enough, and whether it is being economically spent. Political interference in this matter, by those who are not experts, should therefore be exercised with great caution.

It has, in the past, been the policy of our country to have a fleet strong enough to be a match for the fleets of any two nations that might be arrayed against it. The cry of "two keels to one," means that for every ship built by the next strongest naval power we ought to build two. But as battleships and cruisers have now grown so huge and costly, it is becoming a heavy drain upon this country to maintain a Fleet which shall be large enough to resist any possible combination of powers.

[At the time of writing the service is passing through a most critical period. The Navy is now down to a "one power" standard, i.e. of strength equal to that of any other single power without reference to "numerical equality."

No final or permanent policy has, however, as yet been adopted. The student must therefore make a note of future developments and, from time to time, bring the information here given up to date.]

We are glad therefore to find that Canada, Australia, and the other Dominions beyond the Seas are engaged in discussing questions of naval defence, and considering the best methods

of co-operating with the Motherland in a great defensive scheme. You know very well that England has no wish to attack other nations, and that her sole desire is to be allowed to pursue a peaceful course of social and commercial development. The Dominions share this feeling, and are ready to join with us in some general scheme of *defence*, but not of aggression. It is too early to say upon what lines this great defensive scheme will be formulated. Australia at present desires to possess a Navy of her own, which would relieve the Imperial Navy from the task of protecting Australia's coasts. New Zealand, South Africa, and the Federated Malay States, have in the past made contributions to the Imperial Navy of fully equipped battleships. Canada is now debating the form which her general defensive scheme shall take.<sup>1</sup>

[In July, 1921, the whole subject was discussed at the Imperial Conference (see p. 229), when the Dominion Premiers placed on record their strong view of the need of maintaining the Navy on a basis sufficient for security.]

#### HOW THE NAVY IS MANAGED

The Navy is controlled in the name of the King by the Board of Admiralty, at the head of which is a Member of the Cabinet (see p. 20) whose official title is First Lord of the Admiralty. He is usually a civilian, and sometimes without any practical knowledge of the sea. This may strike you as very odd, but in our country we do not like to entrust too great power to professional soldiers and sailors. The Army and Navy are terrible weapons which ought only to be used in the last necessity, and we prefer, therefore, to place them in the keeping of civilian statesmen.<sup>2</sup> The First Lord is, as you would expect, assisted by the "Sea Lords," of whom the Board contains four. The First Sea Lord and Chief of the Naval Staff is always an Admiral of wide experience. He is responsible for the general condition of the Fleet, directs its operations, and guides the First Lord in the appointment of the senior

<sup>1</sup> Since the surrender of Germany's Fleet and the forfeiture of her naval stations in various parts of the world, the danger of aggression has abated and the schemes here outlined remain in abeyance.

<sup>2</sup> During the war a special War Cabinet was formed which was in immediate and daily contact with the Chief of the Naval Staff and the Chief of the Imperial General Staff, who were at the Admiralty and the War Office respectively.

officers. The Second Sea Lord deals entirely with the personnel, and the Third Sea Lord with material. The fourth of the Naval Lords has control of the naval dockyards at Portsmouth, Rosyth, Chatham, Sheerness, Devonport, Gibraltar, Malta, and elsewhere where men-of-war are built or repaired. The Board of Admiralty also contains a Deputy Chief and Assistant Chief of the Naval Staff; a Permanent Secretary; a Civil Lord; and a Parliamentary Secretary. The latter has especially to look after the financial affairs of the Navy, and usually presents the Naval Estimates in Parliament.

At the head of each of the several fleets, into which the Navy is subdivided, is an Admiral, and under him are Vice-Admirals and Rear-Admirals. Each man-of-war is officered by a Captain who is responsible for his ship, under whom are commanders, lieutenants, midshipmen, engineers, surgeons, boatswains, gunners, carpenters, etc., etc. The crew of each ship is made up of sailors sometimes called bluejackets, and of engineers and stokers who take care of the machinery. On large ships also, there are a number of men belonging to the Royal Marines. These are "soldiers and sailors too," and are very useful men indeed. Their motto is "per mare per terram" (by sea and land), and they are equally at home on both. They go to sea like sailors, and when necessary are landed from the ships to fight on shore. Though not belonging exactly to the Army or to the Navy, the Royal Marines have become justly famous for their bravery and general efficiency.

The Navy is kept up by voluntary enlistment. No one can be compelled to serve against his will. But this was not always the case during the war with France over a century ago. Perhaps you have read in Captain Marryat's stories, or elsewhere, of the "pressgang" and the forcible methods employed in those days for securing able-bodied seamen for the Navy. Those matters belong to a by-gone system which we trust may never be revived. Nowadays men enlist for five or twelve years, and then for the most part enter the Royal Fleet Reserve, from which they can be summoned for service in time of war. The Coastguards, whom you have probably seen, and who patrol our shores day and night, are another branch of the Naval Reserves.<sup>1</sup> Another valuable source of

<sup>1</sup> From motives of economy it has lately been proposed to abolish the Coastguard Service. Its disappearance would be much regretted by the general public.

supply is the Royal Naval Reserve comprising experienced men drawn from the mercantile marine and the fishing fleets. Yet another small supply is found in the Royal Naval Volunteer Reserves who offer for service on sea or land.

#### OFFICERS AND MEN

The officers of the Navy are trained from their boyhood in special schools and training ships. A long and very specialised education is needed to make an efficient naval officer; hence the necessity of commencing his career at an early age—about 13,—though modifications may probably be soon introduced by which entry at a later age will become possible.

The total expenditure distributed over the nine years which should carry a naval officer from his entrance as a cadet up to the rank of lieutenant is about £800 to £1000—a sum which compares very favourably with the expenses incurred in entering other professions. Moreover, the pensions in the Navy are upon a fairly liberal scale and must, of course, be taken into account when summing up the many advantages which the career offers to boys of ability, good character, and strong physique.

Applications for admission to the Navy should be addressed to the Assistant Private Secretary to the First Lord of the Admiralty, Whitehall, London, S.W.

The introduction of the continuous service system has been an immense advantage to the "Lower Deck" in improving the quality of its *personnel*, and affording to the men what it affords to the officers, viz. the profession and devotion of a lifetime. In the old days there was no assurance of a career to the men. To-day every well-behaved man can rely on continuous employment at good rates of pay, followed by provision for old age, combined with many opportunities for rising to the rank of Warrant Officer, and in certain cases to the commissioned ranks. There is no other service which offers better opportunities than the Royal Navy to well-conducted intelligent men determined to get on. Pamphlets may be obtained at any post office in the United Kingdom explaining in clear language how, when, and where to join the Royal Navy.

Related to the Royal Navy though not actually of it are

the lower-grade appointments on shore in connection with dockyards, starting as Boy Artificers and Dockyard Apprentices. Lads entering for these appointments must be of good health and very good character and between the ages of 14 and 16. It is usual for the Admiralty to offer annually a certain number of nominations for these appointments to the Local Education Authorities throughout the country. Selected boys in the secondary and technical schools are recommended by the Councils for these appointments, and it would be well for parents and guardians to communicate with the Director of Education for the Borough or County, in order to ascertain the conditions under which these situations are offered, and the opportunities for advancement which they afford to boys with a mechanical bent.

### THE NAVY OF THE FUTURE

[The astonishingly rapid development of "submarines" and aircraft during the Great War has placed in the hands of the Navy two formidable weapons which have given rise to much speculation as to the character of the Navy of the Future.

It is not easy to estimate the ultimate scope of these two new "arms." That they will both play an important part in the naval warfare of the future seems indisputable, but whether a preponderating *rôle* (as some authorities assert) is a matter that time and experience can alone determine.

What, then, should be the attitude of ordinary citizens—the taxpayers who provide the money for naval armaments—in regard to these new developments? The answer would seem to be that they must be guided by those best qualified to judge, and surely these are the men to whose knowledge, courage, and ability we entrusted the naval defences of our country in her hour of peril and who served her so well.

A brief summary of the views of the majority of our leading naval officers may perhaps be helpful to the student.

(a) The peculiar and essential characteristic of submarines and aircraft is that each has a special and highly developed function, and in fulfilling this specialised function it loses in other qualities. Consequently,

(b) No one unit or type of weapon among the Naval Forces of this country can be said to be more or less important than the other.

(c) A well-balanced Force composed of all units, which history and our own limited experience shows to be necessary, is essential if our Command of the Sea is to be maintained.

(d) The capital unit in Drake's day bore little resemblance to the

capital unit of to-day (the battleship) yet her function was the same. What the capital unit of the future will be is not now known, but a point on which there can be no doubt is that a capital unit will exist in some form or other as long as warfare is carried on at sea.

(e) The advent of the submarine makes no essential difference to the units composing a naval force. The functions of the various classes of existing submarines are essentially similar to the functions of certain classes of surface vessels which for generations have formed a part of all naval forces. The manner in which they carry out that function is alone changed.

With these views before him the average citizen will probably decide that his wisest and safest course is to ask Parliament to grant such moneys for naval defence as the State can afford and then to delegate the problem of how best to apportion, build and equip the various essential units, to the naval experts whose lives are spent in considering and dealing with these matters in all their various aspects—practical as well as theoretical.]

### THE BRITISH ARMY

The land forces of the United Kingdom consist of the Regular Army and the Territorial Army with their Reserves, both raised by voluntary enlistment. A proposal to revive the old Militia (which served as a Special Reserve or source of supply to the Regular Army after the Army Reserve is exhausted) is under consideration at the time of writing. In placing our Army upon a voluntary basis we differ from most of the other European Powers, who compel all males to serve for some portion of their life with the colours.

The British Army is very small. As you learned earlier in this chapter we rely principally upon our Navy to protect us from invasion, and we, therefore, keep only a small "Standing Army" of under 200,000 men, enlisted for service either at home or abroad. Our Empire is so widely scattered that what we most need is a highly trained and efficient "striking force" which can be despatched at a moment's notice to any part of the world where it may be required. Whether our Army is large enough for the purpose it has to serve, and whether in the future we may have to resort to compulsory military service are questions which we cannot discuss here.

### THE B.E.F.

[The foregoing was written in 1913; since then we have had reason to modify our ideas on the function of our "striking force." It was

never contemplated that it would have to meet the gigantic armies of a first-class continental Power insolent with material success and ambitious of world-domination. Yet that is what came to pass, for in August, 1914, our country was called upon to take part in a gigantic European conflict. Our little army, known in the war as the "British Expeditionary Force," was ready for action and landed at Boulogne on August 9, five days after the declaration of war. The first shot was fired on the British Front on the 22nd of the same month.

The "B.E.F." was the most highly trained body of soldiers that ever left these shores ; the only weakness—apart from their scanty numbers—being the large proportion of Reservists—over 50 per cent.—that had to be mobilised to complete the strength. These men were equally highly trained but needed "hardening" to endure heavy marching. The Force consisted in the first place of four Divisions, shortly made up to six, totalling 160,000 men. A cavalry division was also added of men trained to fight on foot as well as on horseback.

The B.E.F. was, of course, far too small for the task to which it was set. It was only its extreme efficiency that enabled it to do so much in holding back the German hosts. In performing this duty, the original *personnel* was practically "wiped out." We can never sufficiently honour this gallant little Force ("contemptible" the German Kaiser called it) for the part they took in bringing to a halt the onrush of the German armies. The result of the war might have been very different had they not stood firm and died at their posts.

The increasing perfection of aircraft may compel us to revise our views on the future developments of our several Forces. Meanwhile, though it is the duty of every citizen to concern himself with these important questions, it is manifestly the wisest and safest course to choose the best men we can secure to organise and direct our Military, Naval and Air Forces and then to *trust them*. Nothing is so calculated to discourage and dishearten a chosen leader than fault-finding and carping on the part of those who cannot possibly be competent to judge, or take over their responsibilities.]

The British Army belongs, in a special sense, to the people. It exists only by the will of Parliament. This was not always so. In the times of the Stuart Kings the army belonged to the King. It was a royal force rather than a national institution, and was disliked by the people because it was often used to extend the personal power of the monarch. When William of Orange was brought over, and the Stuarts expelled from the kingdom, a special clause was inserted in the famous Bill of Rights making it illegal for the Sovereign to maintain a Standing Army in times of peace without the consent of Parliament. Every year a Bill is now brought into Parliament

settling the number of soldiers to be employed, etc., and is passed under the title of the "Army Discipline and Regulation Act." If for any reason this Act were omitted or forgotten to be passed, the Army would be dissolved and the men might retire to their homes. The Navy, on the other hand, is a permanent institution, although Parliament has to vote every year the necessary funds for its upkeep. But no annual Bill has to be brought in for the regulation of the Navy. The Bill of Rights does not prohibit the constant keeping up of the Navy whether in peace or war, for the Navy, as you can see, could never be used against the people in the same way as the Army.

#### THE ARMY COUNCIL

Although the King is still nominally the head of the Army, he possesses in reality a very limited authority, and the actual administration and control is vested in the hands of the Army Council, who, whilst doing everything in the King's name, are directly under the authority of the Cabinet, which acts through the Secretary of State for War. Thus again you observe that the Forces of the Crown are under civilian control. The Army Council consists of the Secretary of State for War (who acts as President); the Under-Secretary of State for War, who acts as Vice-President of the Council; a Parliamentary and Financial Secretary, known as the Finance Member of the Council; four Military Members, and two Civil Members. It therefore follows closely the pattern of the Board of Admiralty.

The military members supervise the several branches into which the business of the War Office is divided. The first military member is the Chief of the Imperial General Staff. He has the general direction and control of the Army, and deals with preparation and organisation for war, the training of soldiers, the manœuvres, etc., etc. The Adjutant-General is the second military member of the Army Council. He is concerned with the raising and organisation of the military forces at home and abroad, discipline, medical, and sanitary matters, and a mass of other details too numerous to mention. Third comes the Quartermaster-General, who has the oversight of the supply of food, clothing, and horses to the army, the settling of the amount of stores that are to be kept in reserve, etc. The fourth member is the Master-General of the Ordnance, whose duty it is to see to the guns and ammunition, and the

maintenance of fortifications, barracks, ranges, etc., etc. The two civil members above mentioned are the permanent Secretaries of the War Office, one of whom acts as Secretary to the Army Council, and like most secretaries takes an active part in its work.

About a third part of the British Army is usually stationed in India. To this must be added the Native Indian Army, which is about double the size of the British force in that country. The cost of this army is borne by India itself, but distant expeditions beyond the Indian frontier are paid for by the home government unless Parliament decides otherwise.

The British Army was organised before the war in three lines : (1) the Regular Army with its Reserve ; (2) the Special Reserve ; and (3) the Territorial Force.<sup>1</sup> It is now organised in two lines only : (1) the Regular Army with its Reserve ; (2) the Territorial Army. The revival of the old Militia, as you have already learned, is under discussion. A Territorial Reserve is in similar process.

Supplementary to the Army are the Royal Military College at Sandhurst, the Royal Military Academy at Woolwich, the Officers' Training Corps, and the officially recognised Cadet Units. The terms of service for the Regular Army are laid down in the Recruiting Regulations, and the conditions of enlistment in the Territorial Army are contained in the Regulations for the Territorial Army. These regulations are published by H.M. Stationery Office, and may be purchased very readily through any bookseller at the cost of a few pence.

#### THE REGULAR ARMY

The Regular Army consists of Cavalry, Royal Artillery, Royal Engineers, Royal Corps of Signals, Infantry, Tank Corps, and in addition the Royal Army Service Corps, which deals with supply and transport. There are also many other Departments such as the Royal Army Ordnance Corps, the Royal Army Medical Corps, the Royal Army Veterinary Corps, Royal Army Chaplains' Department, Royal Army Pay Corps, Queen Alexandra's Imperial Military Nursing Service, Army Dental Corps, Army Education Corps, and Military Police.

A soldier enlists for 12 years, part of which is spent with

<sup>1</sup> In 1921 the title of the Territorial "Force" was changed to Territorial "Army."

the colours, and part in the Reserve. During this latter period the men re-enter private life, but are liable to be called out at any time when their services are required.

A private nowadays may, by diligence, efficiency, intelligence, and good character, rise from the ranks, and become a commissioned officer. Many distinguished officers have already done so. Having regard to the recent large increases in the scale of payment, a subaltern of character can at present live on his pay except in the case of the Guards and Cavalry. At the same time a young man with no private means should consider well and seek the advice of a senior officer before he takes a regular commission. There are, however, many opportunities of serving abroad where the remuneration being on a higher scale, and expenses considerably less, an officer can exist quite comfortably on his pay from the first.

The degrees of rank of commissioned officers in the army are the following :—

Field Marshals,  
Generals,  
Lieutenant-Generals,  
Colonel Commandants,  
Colonels,  
Lieutenant-Colonels,  
Majors,      *Cadets*,  
Lieutenants,      } often styled subalterns.  
Second-Lieutenants,

#### THE TERRITORIAL ARMY

The original object of the Territorials was to provide a force for home defence with no obligation to serve abroad. They came into existence in 1908 in the place of the old Volunteers, whose organisation was not all that could be desired. The Volunteers must, however, be remembered with affection and respect, for they often received but scanty encouragement from the authorities, and the enthusiasm they showed in the cause of home defence, and in rendering themselves efficient soldiers has alone made the more comprehensive territorial scheme possible. It would be well for each and all of you to understand that these citizen soldiers whether called by the old name of Volunteers or by the newer name of Territorials, constitute the sole barrier between the people of this country

and some system of compulsory military service such as is employed in other lands. The thanks of the community are therefore due to those patriotic men who devote their leisure to equipping themselves for military service. With our small standing army it is of paramount advantage to have a body of men voluntarily trained in military duties.

Voluntary enlistment in the regular army does not furnish a sufficient supply for all emergencies, and therefore, as said above, unless a citizen army of voluntarily trained soldiers is forthcoming, it is fairly certain that this country also would have to introduce some form of compulsory service. Whether that would be good or bad for the country is one of the subjects on which you will hear divided opinions.

[You are all now aware how magnificently the Territorials behaved on the outbreak of war. Though pledged only to home defence they came without hesitation to the assistance of their country and volunteered for service abroad, practically *en masse*. A large number of Battalions who had thus offered themselves were sent out in October, 1914, to India, the Mediterranean, and elsewhere, to release the Regular Battalions for service in France. During the winter of 1914-15 picked Territorial Battalions were despatched to France and shared with our Regular Army the tremendous task of keeping the Germans at bay until the New Armies were ready. Several of the Territorial Divisions gained the very greatest distinction; but the war record of the whole Force is one of which our country may well be proud]

It was soon recognised that great and unnecessary sacrifices were being made of most promising material for commissioned rank, and many men were withdrawn from Territorial fighting units abroad, or retained at home, to be trained as officers, who were then sent out to fill vacancies in other units, Regular or Territorial.]

The constitution of the Territorial Army is now analogous to that of the Regular Army, consisting of Divisions composed of infantry, artillery, engineers, with auxiliary services, and of the mounted yeomanry. A Territorial Reserve (as said above) is contemplated.

The men of the Territorial Army are now asked to accept liability for service overseas, but they can only be embodied when the Army Reserve has been called out by Royal Proclamation in case of imminent danger or great emergency. No man of the Territorial Force can be sent out of this country (unless he volunteers) until an Act of Parliament has been

passed authorising the despatch of the Territorial Army overseas.

The administration of the Territorial Army is in the hands of the County Associations except when called up for the annual training in camp, when embodied, or when on actual military service. At other times the War Office merely maintains a general supervision and control over the expenditure.

Men who volunteer for the Territorial Army must attend drills during their leisure hours for a period of at least four years, and are required once a year to undergo 8 to 14 days' training in camp. Most employers are willing to liberate their men for this period without deduction of wages ; and indeed it would be deemed a disservice on their part to the State to withhold permission to undergo this short annual training, or to make it an excuse for deducting a proportionate amount of wage or salary. It is hoped eventually to raise a Territorial Army 250,000 strong.

The Officers' Training Corps, which is a branch of the Territorial Army, is recruited mainly from the Public Schools and the Universities. The object is to train its members so as to enable them eventually to become Militia or Territorial Officers.

#### BOY SCOUTS

A noble movement inaugurated by General Sir R. S. S. Baden-Powell for the training of boys in the principles of scouting, and incidentally in drilling exercises and wholesome forms of outdoor recreation, has succeeded beyond all expectation. Indeed the movement has spread to foreign lands. A somewhat similar organisation is being also attempted for girls. Objection has been raised by some people to the Boy Scouts, on the ground that their training savours too much of militarism ; but those who have watched the boy scouts at work realise that the scouting games provide a healthy outlet for the natural love of adventure characteristic of boyhood, whilst the drilling exercises are devised to strengthen and develop the body and have in them nothing of a distinctive military character. A fine effort is made at the same time by the "scout-masters" and other leaders of the movement to train the boys in habits of respect to elders, kindness to their fellows, cleanliness of person and of language, and above all in truthfulness, sincerity and honourable dealing.

This moral training is of the highest value, and many a lad who might have drifted into the ranks of the "hooligans" owes a debt of gratitude to the men who spend freely of their time and money in advancing the cause of the boy scout. General Baden-Powell, in the preface to his book "Scouting for Boys," thus describes the work :—

" By the term 'scouting' is meant the work and attributes of backwoodsmen, explorers, and frontiersmen. In giving the elements of these to boys we supply a system of games, and practices which meets their desires and instincts, and is at the same time educative.

" From the boys' point of view scouting puts them into fraternity gangs, which is their natural organisation, whether for games, mischief, or loafing; it gives them a smart dress and equipment; it appeals to their imagination and romance; and it engages them in an active, open-air life.

" The method of instruction in 'scouting' is that of creating in the boy the desire to learn for himself, and not by drilling knowledge into him.

" From the parents' point of view it gives physical health and development; it teaches energy, resourcefulness, and handicrafts; it puts into the lad discipline, pluck, chivalry, and patriotism; in a word, it develops 'character,' which is more essential than anything to a lad for making his way in life.

" From the national point of view our aim is solely to make the rising generation into good citizens. We avoid military training for reasons given in the book."

[The record of the many valuable services rendered by the Boy Scouts during the war adds a new and bright page to the history of this movement. As trustworthy messengers and doorkeepers, as efficient watchers of our coasts, and in numerous other capacities these lads testified to the fine training in character, usefulness, chivalry and loyalty they had received in the organisation to which they belonged. Indeed, as an education in citizenship the training of the Boy Scouts is probably unrivalled.

Those of you who lived in London during the air raids are not likely to forget how welcome was the bugle call of "All Clear" sounded by Boy Scouts as they bicycled rapidly through the dark and deserted streets. Their work was not without danger, and we do not forget that on November 1, 1917, at about 2 a.m., young Alfred Page, a Boy Scout, was killed by a bomb whilst waiting until he should be ordered forth to sound the "All Clear." He died for his country as truly as any soldier in the trenches.]

## THE NATIONAL FLAG

Wherever a British ship sails the sea, whether a stately man-of-war or a humble cargo "tramp"; wherever a British regiment pitches its camp, whether at Aldershot or in the remotest outpost of the Empire; wherever, in fact, British subjects have gained a foothold, there flies the Union Jack—the National Flag. Our hearts warm to it when we meet it in distant lands floating majestically at the peak of some lofty flagstaff. For it speaks to us of home, and we know that we are among friends, and that the language of the homeland is there spoken! The flag is a bond between all good citizens of the Empire. It denotes kinship and a community of interests, it betokens an unquestioned allegiance and devotion to King and Country. We, therefore, respect the flag, and will not suffer it to be treated with indignity. Soldiers and sailors are taught to salute the flag, and this is no empty ceremony, but is full of meaning.

The history of the Union Jack is interesting. In its present form it dates from the year 1801, and signifies the Union of England, Scotland, and Ireland into one United Kingdom. If you dissect the flag you will see that it consists of three superimposed crosses. First, there is the large red cross in the middle which is shaped thus + and which has a white border round it. It is the Cross of St. George, and is emblematic of England. Then you will see that there is a white cross shaped like this X on a blue ground. That is the Cross of St. Andrew, and was for a long time the sign of Scotland. And lastly you will see that there is another cross of the same shape as the last, only red upon a white ground. This is the Cross of St. Patrick, the patron saint of Ireland.

## THE ETHICS OF WAR

Happily, to-day, in England we know little of the horrors of war, and of the misery and suffering which are its result.<sup>1</sup> No war can ever be fought without causing pain, sorrow, death, and ruin to many, or without leaving behind it much rancour and ill-blood. If you are ever tempted to think that war is a glorious thing, or that fighting can ever be anything but horrible and cruel, try and learn from the accounts of those

<sup>1</sup> This was written in 1913.

who have seen real warfare what its results always are and must be.

In dealing with the subject of War it is impossible not to recognise that there are some wars which are justifiable and others that are not. Wars, such as those waged by Napoleon for the sake of glory or aggrandisement are an unmitigated curse to humanity. On the other hand, there are cases in which a people rightly struggling to be free have had no other course open to them than to throw off the yoke of the oppressor by a sanguinary war. Such wars are justified by posterity, and the victorious generals are hailed as liberators of their country. Most of your great civil and religious liberties have been won by the sword, and at the price of blood. As the nations grow older and wiser they are happily showing signs of turning away from the horrors of bloodshed, and looking to Arbitration as a better means of settling disputes.<sup>1</sup> But the reign of peace is not yet established. Matters involving vital interests or national honour are as yet excluded from the terms of our arbitration treaties. Let your hopes therefore be, that peaceful settlement of international difficulties may increasingly prevail. But whilst cherishing this fervent aspiration, do not forget the great lesson which history teaches, viz. that the price of Freedom is eternal Vigilance and that War sooner or later overtakes and punishes those nations that have grown rich, selfish, idle, corrupt, and neglectful of their duty towards God and their neighbour.

#### THE ROYAL AIR FORCE

When the Great War burst upon the world in 1914, the art of flying was still in its infancy and aeroplanes could neither travel great distances nor carry heavy weights. It was only in July, 1909, that M. Blériot had flown across the Channel—the first airman to succeed in accomplishing this feat.

It had been foreseen that aircraft might play an important part in time of war for scouting purposes, but our Government had given little encouragement to the adventurous pioneers of aerial navigation, and evidently did not fully realise into what a powerful and indispensable an “arm” the aeroplane would develop. Other nations were far ahead of us. Germany

<sup>1</sup> The “League of Nations” is the outcome of this desire to avoid war. (See next page.)

in addition to a large number of aeroplanes had also a "fleet" of powerful airships, known popularly as "Zeppelins," after the name of their inventor.

In May, 1912, the Royal Flying Corps came into existence and on the outbreak of hostilities the immense value of this Corps to the Army was at once demonstrated. It is one of the wonders of the war how quickly the new arm—the "Cavalry of the Clouds"—was perfected. It affords a striking example of the gigantic effort put forth by the nation. The output of aeroplanes grew to vast dimensions, whilst our skilful and intrepid airmen soon rivalled and then surpassed in daring and efficiency those of the adversary, and finally established a supremacy beyond challenge.

The Royal Flying Corps was associated with the Army, but the Navy also found it necessary to develop an Air Wing adapted to its own particular needs. Thus during the greater part of the late war there was in existence a Royal Naval Air Service under the control of the Admiralty.

[To put an end to this divided control over our Air Force an Air Ministry was created<sup>1</sup> in January, 1918, with an Air Council framed much on the same lines as the Army Council. At the head of the Ministry is a "Secretary of State for Air," who is also President of the Air Council.

The Royal Air Force, over which the Air Ministry now exercises control, is formed by the amalgamation of the Royal Flying Corps and the Royal Naval Air Service. Under this arrangement the Navy, the Army, and the Royal Air Force form three distinct fighting services. The Air Ministry now lends certain units to the Navy and others to the Army in addition to maintaining an independent Air Force.

Whether this latest organisation will be permanent remains to be seen. The majority of the higher officers in the Navy and Army are not in favour of this system, as they feel doubtful whether by this method they will each secure an efficient Air Wing. The training of the *personnel* and the technical equipment required in the three services are so divergent that it is considered that nothing short of absolute control by each service of its own Air Wing will ensure the desired efficiency.]

#### THE LEAGUE OF NATIONS AGAIN

[The League of Nations, mentioned on page 16, was called into being by the Peace Conference at Paris after the Great War, and came

<sup>1</sup> Under the Air Force (Constitution) Act, 1917.

formally into existence on January 10, 1920, when the Peace Treaty of Versailles (signed June 28, 1919) became operative.

The League is an association of States which have pledged themselves by a Covenant of 26 "Articles" not to go to war before submitting their disputes to arbitration. Proposals for the reduction of armaments are also part of the League's programme, and no doubt you will hear in the near future of World Conferences summoned by the League to discuss and devise means by which this desirable end may be attained.

The States—about 50 in number—which are members of the League have also bound themselves to co-operate over a wide range of humanitarian, labour, economic, and social questions, and the first fruits of their recommendations are to be seen in the latest of our laws for regulating the labour of women, children, and young persons (see p. 166).

The Council of the League, whose headquarters are at Geneva, consists of representatives of Great Britain and her Dominions, France, Italy, and Japan, together with four other members elected by the "Assembly" of the League from among the other States represented. Germany is not (as yet) represented, nor is America, although the formation of the League was very largely the work of Mr. Woodrow Wilson, President of U.S.A. His action in committing the United States to participation in the League was, however, repudiated by the American Senate and also by the American people in the Presidential Election of 1920.

The first act of the League was the establishment of a Permanent Court of International Justice (with a bench of eleven judges sitting at The Hague), which has already been successful in settling several international disputes.

A number of Committees or Commissions has been established by the League to deal with the many sides of its work. Perhaps the best known of these bodies is the "International Labour Organisation" to the recommendations of which we shall shortly make reference. Yet another important Committee set up by the League is the "Mandates Commission" to which attention will be called in the chapter on *England and the Empire*.

The work already accomplished by the League must cause great satisfaction to those who base upon its ultimate success, their hopes for the survival of our civilisation.

#### THE WASHINGTON CONFERENCE ON THE LIMITATION OF ARMAMENTS

You are probably aware that for many years prior to the late war there had been proceeding between the Great Powers of the world what was termed a "competition" in armaments. It arose in the first place from the maintenance by Germany of a huge Standing

Army, which was felt by other European nations to be a menace to the peace of the Continent. In later years Germany also proceeded to the construction of a Navy which challenged the British Navy in strength. Great Britain being an island dependent for food and raw materials on supplies from oversea felt compelled to maintain the lead in naval construction, laying down "two keels to every one" built by Germany.

You will understand that these armaments were very costly and a great burden to the taxpayer; but every overture to Germany to cease this competition, or take a "naval holiday" during which no warships should be built, met with a rebuff. Our statesmen, therefore, were driven to the conclusion that some day Germany intended to contest our supremacy at sea. And it is now plain that such was her design.

To prevent a recurrence of this devastating competition, the American Government invited representatives of the leading nations to meet and discuss the means of securing a Limitation of Armaments.

The Conference met at Washington on November 12, 1921. It was attended by representatives of the British Empire, India, France, Italy, Japan, Belgium, China, Portugal, and the Netherlands, and after much fruitful discussion arrived at an Agreement which was embodied in the "Five-Powers Treaty," signed at Washington on February 6, 1922, by representatives of Great Britain, the United States, France, Italy, and Japan. It fixes for these Powers a definite tonnage of capital ships (battleships and battle-cruisers) and limits their size and the calibre of their guns. By this Treaty our Navy becomes nominally of the same strength as that of the United States, whilst that of Japan is fixed at six-tenths of ours.

It is to be observed, however, that the Governments of France and Italy have not (at the time of writing) ratified the Agreement into which their representatives entered at Washington. Should they fail to do so it is held that the Treaty will be no longer binding upon any of the signatory Powers. This is a matter of deep concern to us all, and the issue of which you will await with anxiety.<sup>1]</sup>

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Discuss the proposition that the best guarantee of peace is to be prepared for war.
2. Define Patriotism. Is it the duty of a patriot to say, "My country right or wrong"?
3. What is Martial Law? When is it invoked in civil life?
4. Give some account of Women's Work in the war, with especial reference to the organisations known as the V.A.D.; W.R.N.S.;

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<sup>1</sup> In the same Treaty the Five Powers agree to prohibit the use of poisonous gases and liquids. It is to be noted that Germany was not represented at the Conference.

W.R.A.F.; W.A.A.C. and Q.M.A.A.C.; the Women's Legion; the Women's Land Army; and the Women Police.

5. Are you a "Territorial" or a Boy Scout? If not why not?  
6. What is the V.C. and for what is it awarded? Describe the Medal.

7. Will the Union Jack need to be changed now that Southern Ireland has been given the status of a Dominion beyond the Seas?

8. Relate a great naval exploit in the late war associated with St. George's Day.

9. Describe at least one of the great events of the war in (a) Flanders, (b) Gallipoli, (c) Palestine.

10. Ascertain from any available works of reference:

(1) the number of men who during the late war passed through the ranks of the British Army;

(2) the number of men sent by each of the Dominions;

(3) our total casualties in killed and wounded: (a) in the Army, (b) in the Navy, (c) in the Mercantile Marine.

*N.B.*—For the general reader there is possibly no more comprehensive or instructive record of the Great War and of "War Work" at home and abroad, than that to be found in the 21 volumes of the "The Times Illustrated History of the War." With advantage also to every student of citizenship may be read "The People of England" (3 vols.) by Sir Stanley Leathes, K.C.B.

## CHAPTER XII

### *SCHOOLS AND SCHOLARS*

#### EARLY EDUCATIONAL EFFORTS

A CENTURY ago the majority of your countrymen could neither read nor write, and the poorer members of the community had little or no opportunity of acquiring in their youth even the barest elements of education. Whilst some other countries (Germany in particular) were steadily developing their educational systems we stood still, doing little or nothing for the education of the masses. In earlier times the monasteries and religious houses all looked upon it as part of their duty to teach the rudiments of learning to those who were anxious to be taught. At their dissolution the schools attached to them were also broken up. We had, too, in England a considerable number of Grammar Schools for the education of what would now be called the middle classes. Most of these were also destroyed.

It was the desire of a few noble minds of the time that the revenues derived from the spoil of the monastic houses and of the Grammar Schools should be used in part for the continuation of the work of these schools. But this was not done and very many of them perished. Thus comparatively few of our educational institutions (apart from the old Universities) date from before the Reformation.

After the Reformation, however, we find a number of Grammar Schools set up in various parts of the country and endowed by pious founders. Many were doubtless "conscience-money" foundations, representing a partial restitution of the spoils of the abbeys and other pre-Reformation institutions. But the very poor seldom benefited from these foundations. This, no doubt, was partly due to the difficulty with which the very poor could dispense with the labour of

their children, who were put to work long before they had had time to acquire even a very small measure of education. This difficulty is felt even to-day.

As industries multiplied the population of our country grew rapidly, but the schools did not keep pace with the increase, and thus a truly deplorable state of things arose. It is safe to say that about 1800 the education of our masses was about at the lowest ebb it ever reached in this or any other civilised country. Crime—the product of ignorance as well as of injustice—flourished, and the prisons were choked with inmates. The hearts of many earnest and truly patriotic men were touched by the pitiful ignorance of the people. Three at least of these men must be named—Robert Raikes, Joseph Lancaster, and Dr. Andrew Bell.

Robert Raikes, a printer, of Gloucester, opened in 1780 the first Sunday School, in which, in addition to religious instruction, reading, spelling, and writing were taught. This short hour of education on Sundays was all that was received by many of those who joined in the subscription to erect in 1880—just a century later—the monument you now see standing on the Victoria Embankment dedicated to the memory of the founder of Sunday Schools.

#### “ BRITISH ” AND “ NATIONAL ” SCHOOLS

The beneficial effects of the teaching of Raikes and Pounds (see p. 134) inspired two great-hearted men to attempt the education of the poor on a more extensive scale.

To the efforts of Joseph Lancaster the foundation of the British and Foreign School Society in 1808 is due. In many towns and villages, humble places of instruction known generally as “ British Schools ” were erected by this excellent and philanthropic organisation. Three years later the activity and enthusiasm of Dr. Bell led to the foundation of the “ National Society for the Education of the Poor in the principles of the Church of England.” Numbers of “ National Schools ” were established by this Society, and thousands of people still living owe what little instruction they ever received to the British or to the National Schools. These two famous Societies are still in flourishing existence, but their activities are now directed in the one case to the management of certain Training Colleges for Teachers of which we shall speak later,

and in the case of the National Society to the protecting and aiding of Church of England Schools and Training Colleges. Following the example of these two Societies, the Roman Catholics and Wesleyans established similar Societies to look after the interests of their own schools.

For long years these philanthropic bodies received no recognition from the State, and relied solely for their support upon voluntary subscriptions (hence the term "Voluntary Schools") and upon the small fees—generally twopence per week—paid by the scholars. There was no compulsory attendance in earlier days, consequently many selfish or neglectful parents never even attempted to secure for their children the slender advantages which these schools offered.

In 1833 the Government for the first time voted what many people then thought a very large sum, viz. £20,000, for the building of more schools; and from that year forward the grants have steadily increased, until to-day they are counted in millions of pounds per annum. To administer the grants a Committee of the Privy Council (see p. 50) was established in the year 1839, and until 1900, when the present Board of Education was set up,<sup>1</sup> all matters appertaining to the expenditure of the grants and management of the public elementary schools were done with the sanction and in the name of the "Lords of the Committee of Council on Education." This cumbrous system with its laboured nomenclature is now swept away.

It would be a long and intricate history to recount from 1833 onwards the difficulties that had to be overcome before the people of this country secured a thoroughly efficient public educational system. A few of the early efforts ought, however, to be mentioned.

#### RAGGED SCHOOLS

In 1844 the Ragged School Union was established, and until the passing of the Education Act of 1870 continued its voluntary educational work. The "Father of Ragged Schools" was John Pounds, a shoemaker, of Portsmouth, who in the early years of the 19th century devoted himself to the improvement of the "ragged" children in his neighbourhood. Though its educational work is now in other

<sup>1</sup> Under 62 & 63 Vict. c. 33.

hands, the Ragged School Union, now merged into the Shaftesbury Society, does much charitable work for deserving necessitous children. As an outcome of this movement, and largely through the efforts of Miss Mary Carpenter, Lord Shaftesbury, and others, "Industrial" and "Reformatory" Schools (of which we shall have more to say later) were erected to prevent crime, and reform child criminals.

Our "Industrial" schools are the direct descendants of, and some of them now actually occupy the premises or the sites of the original Ragged Schools. Unlike the Reformatories, Industrial Schools have not any close association with prisons, and it will clear up your ideas on this important subject if you realise that the function of the Industrial School is to reclaim youngsters who are beginning the downward path towards criminal life, whilst the Reformatories deal with young delinquents who have been actually guilty of some criminal offence. We shall learn more of these excellent institutions in the chapters on *The State and the Child*.

#### BEFORE 1870

Much of the elementary "education" in the earlier days of the last century was furnished by private enterprise.

You would hardly credit the deplorable condition of the so-called "private schools" in existence before 1870. Anybody was thought good enough to teach children. One of the Assistant Commissioners appointed to inquire into the whole subject said—"None are too old, too poor, too ignorant, too feeble, too unqualified in every way to regard themselves, and to be regarded by others as unfit for school keeping." Domestic servants, barmaids, small shopkeepers, bedridden consumptives, cripples, discharged soldiers, people in receipt of outdoor relief, men and women of seventy to eighty years of age, people who spelled badly, who could hardly read, and who could not cipher at all, were found "keeping school" in all manner of dismal, dark, and ill-ventilated places, kitchens, bedrooms, outhouses, etc. It was not only in the villages, but in the great towns and cities that such a scandalous state of things as above outlined was permitted to exist. The village "Dame Schools," much as they have been ridiculed for their inefficiency, were, as a matter of fact, among the best of their kind, for the old woman who taught

her little flock was generally selected, and assisted by the parson or squire on the ground that she was a little better instructed than her neighbours. Whereas in former years it was just a mere chance whether a decent school happened to be within access, it is now enacted by Parliament that an efficient public elementary school shall be brought within reach (not over 3 miles distant) of every child in the kingdom, and that every boy and girl between the ages of 5 and 14 shall have a right to a free place in that school.

1870–1921

You, who now enjoy educational advantages of which people in those days scarcely dreamed, would be surprised and shocked if you were to read of the immense opposition with which the suggestion of compulsory education was greeted, when Mr. William Edward Forster—whose statue you will find on the Victoria Embankment in London—introduced his famous Education Bill into the House of Commons in February, 1870. That Bill which became an Act<sup>1</sup> in the autumn of 1870 set up “School Boards,” elective bodies charged with the provision and oversight of public elementary schools (hence the term “Board Schools”) in districts where the voluntary school accommodation was insufficient for the needs of the neighbourhood. In 1876, compulsion was legalised and School Attendance Officers were appointed to call upon, and urge all parents to send their children to school. Compulsion was applied gradually. Each district was at first allowed to use its own discretion, and to pass such bye-laws as it thought fit to ensure the attendance of the children. As you might expect, some places were not as strict as others, and in 1880, an Act<sup>2</sup> made it compulsory upon all local education authorities to frame bye-laws and to enforce them. At first education was not given free of charge, nor was it until 1891 that every child could claim a free place in the Elementary Schools.

For many years the Board Schools and Voluntary Schools existed side by side, and children could be sent either to the one or to the other; but as the Board Schools had the rates behind them *as well as* government grants and pupils' fees, they were able to make themselves highly efficient and

<sup>1</sup> 33 & 34 Vict. c. 75.

<sup>2</sup> 43 & 44 Vict. c. 23.

attractive, whilst the poorer voluntary schools (which were always attached to some religious body such as the Church of England, or the Wesleyans, or Roman Catholics) *had no money out of the rates*, and depended solely for their support upon the government grants supplemented by voluntary subscriptions, together with the small fees charged to the scholars. It is easy to understand, therefore, how little by little the Voluntary Schools found themselves under a heavy strain. Subscriptions fell away, and they languished simply for lack of money. For many people thought that, being forced to pay rates for the support of the Board Schools, they ought not to be expected to subscribe also to the Voluntary Schools.

At length in December, 1902, an Act was passed which placed the Voluntary Schools also "upon the rates." This famous Act<sup>1</sup> made many other alterations in the then existing practice. It swept away the old School Boards, and transferred the control of their Schools to the Local Councils. The old "Board Schools" are therefore now called "Council Schools," and since they have been provided out of public money they are often termed "provided" schools. The Voluntary Schools being no longer entirely supported by subscriptions have also lost their old title, and are called "non-provided" schools, since they were for the most part originally built, and maintained out of money *not provided* by the rates. Other reforms also were effected under the Act of 1902. On the principle that there shall be "no taxation without representation" the Local Councils have obtained a certain degree of representation upon the Boards of Managers of the "non-provided" or voluntary schools, but not complete control. The councils, for instance, have no voice in the nature of the religious instruction imparted in the "non-provided" schools, nor do they appoint the teaching staff.

At present, then, you will have gathered that elementary education is controlled by, and its cost defrayed partly by government grants, and partly by rates levied by the local authority—in Boroughs<sup>2</sup> by the Town Councils, and elsewhere by the Urban District Councils,<sup>3</sup> or County Councils.

<sup>1</sup> 2 Ed. VII. c. 42.

<sup>2</sup> Where the population is over 10,000.

<sup>3</sup> Where the population is over 20,000.

### INSPECTORS AND THE CODE

Over the many thousands of public elementary schools, the Board of Education exercises control and oversight—*oversight* by means of the Inspectors who are the “eyes and ears of the Board,” and *control* by refusing to pay the grants when the Inspectors report that the teaching or medical inspection, equipment or buildings are unsatisfactory, or that the Local Authority has failed to comply with the other numerous requirements of the Board. Every year the Board issues a book of regulations called the Code for the guidance of teachers, managers, and inspectors alike. In such manner the efficiency of our educational system is ensured.

### CHILD-WORKERS.

Up to quite recent years it was possible for a child to go to school for half the day and to the factory for the other half. These were known as “half-timers.”

Public opinion has, however, come round to the view that it is not wise to allow a child to engage in employment whilst at school. As the law<sup>1</sup> stands to-day there is no such thing as “half-time,” and all employment before and after school hours is hedged about with many restrictions. These restrictions are contained in bye-laws (see p. 58) issued by the Local Education Authority, and differ to some extent in different localities, for not a few Education Authorities regard employment out of school-hours as opposed to the best interests of the child and therefore limit it as much as possible. The following general restrictions imposed by the Act<sup>1</sup> are common to all byelaws, viz. no child under 12 must be employed at all; a child between 12 and 14 must not be employed for over 2 hours on a Sunday, nor until after school hours on a “school day,” nor on any day whatsoever before 6 a.m. or after 8 p.m.

### SCHOOL AGE

Step by step the school age has been raised and it is now the duty of the Local Education Authority to make and enforce bye-laws requiring parents to cause their children

<sup>1</sup> Education Act, 1921.

between the age of 5<sup>1</sup> years and 14 to attend school. They may even require the children to attend up to 15, but in that case the Education Authority may grant exemption to children over 14 but under 15 where the circumstances seem to justify such an exemption, as, for instance, if the offer of a good situation, regarded as "beneficial," occurs when the child has reached the age of 14. Situations as errand-boys are not looked upon as "beneficial" by the most progressive Authorities.

Boys and girls do not always realise how much it will help them to stay as long as possible at school. Now that there are "Ex-Standard VII Classes," "Central Schools," and "Municipal Secondary Schools" which carry education to a much higher level, and now also that the Local Education Authorities offer Scholarships and Maintenance Allowances,<sup>2</sup> whereby the intelligent and industrious can continue their education practically free of cost, it would indeed be a pity for a bright and promising child to forgo these great advantages and enter handicapped into the battle of life. For lack of education is now the greatest of all handicaps. Some young folks are, however, obliged to leave school at the earliest moment, and with a very imperfect education. For such as these the Local Education Authorities in all our leading towns and cities have established Evening Schools where young persons can continue their studies in their spare hours.

#### EVENING SCHOOLS

It no doubt requires strength of will and of purpose to go to school again after a hard day's work, but the boy or girl who is determined to advance in life will make the effort; and hundreds of people owe their positions to the knowledge and skill acquired in Evening Schools and kindred institutions.

Evening Schools now exist of every type and grade, from simple classes where the defects of elementary education may be remedied, up to the Technical Schools in which is provided instruction of the highest order. A boy in a large town may thus pass from the Evening School in his old day

<sup>1</sup> The age may be fixed at 6—a boon in rural districts where the children often live a long way from the school.

<sup>2</sup> And valuable Bursaries for those who wish to enter the teaching profession.

school, to a branch Technical School, or to a Commercial Evening School, and thence to the great Technical Colleges and Schools of Commerce. There is no lack of opportunity—in the towns at least—for an industrious and ambitious youth to improve his knowledge and his efficiency, and his position in life, through the agency of these Evening Schools. In London the "Polytechnics" are doing magnificent work of this kind for those who desire to extend their technical, scientific, or literary knowledge. And this brings us to a consideration of the new Continuation Schools.

#### CONTINUATION SCHOOLS

When this book was first published in 1913, the foregoing section also contained these words : "it is therefore believed by all social reformers, and by very many other people, that the time has come to compel every one to continue his education for a year or two after leaving school, by attending either day or evening classes."

We have quoted this passage in order that you may observe how our educational system is gradually growing more complete ; for since those words were written the ideal therein foreshadowed has ripened into actual fact. It is now the law of the land<sup>1</sup> that Education Authorities shall establish and maintain a sufficient supply of Continuation Schools in which suitable courses of study, instruction, and physical training are provided, free of cost, for all young persons (*i.e.* aged 14 to 18) resident in their area.

And the law further ordains that all young persons shall attend such schools at such times and on such days as the Local Education Authority may require, for 320 hours (under certain circumstances only 280 hours) in each year. Employers must allow time for attendance, and if any young person fails to attend, except for illness or other unavoidable cause, he is liable to a fine.

Certain exemptions from attendance at these schools is given to those who have passed some satisfactory examination (*e.g.*, Matriculation), also to those who are under approved instruction in other institutions for an equal number of hours.

In some places these Continuation Schools are already

<sup>1</sup> Education Act, 1921.

in operation, but in most towns the date for their establishment has been postponed owing to the difficulty at present of meeting the expense.

The children of the coming years will therefore, it is hoped, be no longer allowed to face the battle of life with an insufficient educational equipment.

#### CHANGING IDEALS. LIMITATIONS OF LIBERTY

[You should here notice how our ideals of Citizenship are ever developing and becoming more complex. Each advance points the way to another forward movement. You have read how the proposal to compel the attendance of children at school was stoutly opposed as an encroachment upon the freedom of parents to do as they willed with their own offspring.

Freedom is our most precious heritage, but we are learning that freedom cannot be granted to do that which is hurtful to the whole community. And to allow children to grow up uneducated is not only injurious to the community, but is a cruel injustice to the child. We have therefore come to recognise that the highest ideals of good citizenship are not incompatible with some curtailment of our freedom.

We have now gone still further in the restriction of the freedom of the individual.

For many years the feeling has been growing that 14 is too young an age for a child to cease his education. A youth of 14 who has no settled object in life, and who has little or no ambition to "get on," too often drifts into mischief in the evenings and is in danger of becoming a "hooligan" of the streets.

In earlier times it was the custom to apprentice a boy of 14 to some trade and to bind him legally to his master for seven years. He then emerged, on arriving at manhood's estate, as a fully trained craftsman. But the old apprenticeship system (for reasons too long to explain here) has almost disappeared, and so the boy of 14, on leaving the elementary school, being too young to enter most trades, drifts frequently into a "blind alley" occupation (see p. 175), or (for lack of further training) into some unskilled employment of a casual nature.

This is both injurious to the community and disastrous to the individual. In compelling these young people, therefore, to attend the Continuation Schools, in which they will be taught much more than mere book-learning, we are acting in accordance with the highest ideals of good citizenship, since we know that such action will be of lasting benefit not only to the young persons themselves but also to the nation as a whole.]

## TEACHERS AND TRAINING COLLEGES

As many young people who read this book may be thinking of becoming teachers, we will add a note for their benefit on the Training Colleges.

In those far away days when the British and Foreign, and National Societies began their beneficent work, there were few or no competent teachers to be obtained ; and both Lancaster and Bell adopted what is called the "monitorial system," that is, the older children were made "monitors" or instructors of those still younger.

This, as you may be sure, was not a very efficient plan, but it was the best that could be devised at the time. The paid apprentice or "pupil-teacher" system was next introduced in 1846, and held the field for a long time. But as the demand grew for better methods of teaching, the time arrived when the need of institutions for professional training began to be felt. There are now in existence many splendid Training Colleges in which young men and women receive their academic and professional training before proceeding to their work as teachers in the public elementary schools. The Training Colleges are usually in close connection with either the National, or British and Foreign, Societies, of which you have already heard (see p. 133), or are maintained by Education Authorities, or again are parts of a University. Those coming under the two latter heads are undenominational in character.

Of the excellent opportunities open to young people of both sexes who desire to enter the scholastic profession we shall have something to say in the next chapter when speaking of the "Educational Ladder." In a community of intelligent people none performs work of higher value and importance than the teacher ; for it is he who, in a greater degree than any other outside the home, shapes the character of the citizens of the future.

## QUESTIONS FOR DISCUSSION AND RESEARCH

1. Is there a "British" or a "National" or a Wesleyan or Roman Catholic School anywhere in your neighbourhood ? Do people still speak of it as a "Voluntary" School, or do they term it a "non-provided" School ? How many Managers has it and what proportion are appointed by the Local Council ?

2. What difference exists between (a) an Urban District Council, (b) a Borough Council, (c) a County or County Borough Council in respect to the Educational powers they each possess ?
3. Where is the nearest Council School ? Is it still ever called a "Board" School ?
4. What is meant by the "Conscience Clause" ? (See Section 27 of the Act of 1921.)
5. Make a list of all the Educational Institutions in your town and the objects aimed at by each.
6. What do you know about Trade Schools and Farm Schools ? Are there any of these in your neighbourhood ?
7. Discuss the causes that led to the decay of the Apprenticeship System.

## CHAPTER XIII

### *SCHOOLS AND SCHOLARS (Continued)*

#### ENDOWED SCHOOLS

THERE have always been in our country charitably disposed people who have given or bequeathed money for the foundation of schools or scholarships ; but such charitable action has been individual and local in its character. We find, for instance, that the town of Bedford has been particularly fortunate in this respect, having received large endowments from a wealthy citizen Harpur (or Harper), who lived in the time of Elizabeth. By industry and talent William Harpur rose to be Lord Mayor of London, and after attaining wealth and fame he granted a piece of land with school buildings upon it to the town of his birth. Moreover, for the support of the school, and for other charitable objects, he left thirteen acres of meadow land in the parish of St. Andrew's, Holborn, London. This land is now covered with buildings, and is immensely valuable, and yields a rental of many thousands per annum. The funds are administered by Trustees, who have been able —so great is the income—to provide Bedford with many institutions of every educational grade, for children of both sexes belonging to all classes of society. Even " Exhibitions " to the Universities are provided out of the " Harpur Trust."

Though Bedford has been specially favoured in educational endowments, other towns have also to a less extent been furnished with schools and colleges by Founders who desired to benefit and be remembered by posterity. Consequently we find the Endowed Schools built in most unlikely places, in small towns and villages, important, perhaps, in the eyes of the founders, but remote from the great centres of population. The new industrial cities that have sprung up during the last century frequently lacked an endowed school, and until the

State of late years took in hand the supply of secondary as well as elementary education, these towns had to get on as best they could with "private schools" (*i.e.* schools conducted by private persons for their own profit), or with such other institutions as the public spirit of the townsfolk succeeded in establishing. In Liverpool, for example, where there was no ancient foundation such as Bedford enjoyed, we find a band of philanthropic citizens establishing schools. In 1819 they founded the Royal Institution, in 1825 the Liverpool Institute, and in 1840 the Liverpool College—all of which are existing to-day and performing valuable educational work.

What you must understand, therefore, is that for many generations the Endowed Schools, upon which the country chiefly relied for the higher education of its boys (Girls' Schools upon a public basis are of very recent growth), were scattered irregularly here and there, sometimes in tiny country villages (e.g. Sedbergh and Giggleswick), just where the original benefactors had placed them. In places where no Endowed Schools existed the inhabitants depended upon private effort. Rich people, of course, could afford tutors and governesses for their children, or could send them to the big boarding schools like Eton, Harrow, Rugby, etc., but the middle and poorer classes had the greatest difficulty in securing for their boys and girls any sort of higher education, unless they lived in the immediate vicinity of an Endowed School. Even then many parents found the Grammar Schools, as most of the endowed schools were termed, very unsuitable. They had become hopelessly out of date. Many of them were established in the days when Latin and Greek were the only subjects of study, and some were so restricted by the terms of the foundation as to be unable to teach anything beyond these languages. Science, mathematics, modern languages, drawing, music, manual instruction, etc., rarely entered into their curricula. The school buildings also were often antiquated in design, and out of harmony with modern ideas. Nevertheless, with all their limitations, the ancient Grammar Schools did a great work for English education, and numbers of our most famous citizens have been reared within their time-honoured walls and nurtured on their classical scholarship.

Although the present generation has found it necessary to alter some details in their original constitution, the spirit of the great Revival of Learning; of Erasmus; of Colet

founder of St. Paul's one of the pre-Reformation schools and of Lilye its first High-master, has survived in them to this day. In the new shape which modern legislation has given to them, the old Grammar Schools of the 16th and 17th centuries, drawing their inspiration from the classical models of Eton, Winchester, and perhaps, above all others, from Colet's foundation, are among the most potent factors in modern education.

As far back as 1818 Parliament had set up a body known as the Charity Commissioners, whose duty it was to inquire into the administration of educational and other charities. In 1864 a Schools Inquiry Commission was appointed to report upon the measures required for the improvement of Secondary Education, and as a result of their recommendations a body of Commissioners was appointed under the Endowed Schools Act, 1869,<sup>1</sup> with full powers to deal with endowed schools in England and Wales, and to frame "Schemes" for their reconstitution and management. The Endowed Schools Commissioners did a great work during their existence, and restored vitality to hundreds of these antiquated and decaying institutions. In 1874 their work was taken over, and continued by the Charity Commissioners, and finally transferred to the newly created Board of Education in 1900 (see p. 134). Boards of Governors have been created to manage the schools, limiting restrictions have been removed, scholarships and free places awarded, and many other valuable reforms effected.

#### CENTRAL AND MUNICIPAL SECONDARY SCHOOLS

The Endowed Schools were quite insufficient for the many children who wanted and deserved to have their education continued beyond the Elementary School. The Grammar Schools were few and comparatively expensive and many people could not afford their fees.

Little by little provision has been made for the free secondary education of the brightest children from the Elementary Schools. It is now—in the towns at least—quite easy for promising boys and girls up to the age of 16 to obtain, practically without cost, an education such as a generation ago could only have been secured at great expense, if indeed at all. The Central Schools—found in almost every centre of

<sup>1</sup> 32 & 33 Vict. c. 56.

population—are splendidly equipped institutions at which a very practical education is given by highly qualified teachers. Though officially classed as "elementary" they are really "secondary" in character. Formerly they charged small fees, but are now thrown open,<sup>1</sup> free of cost, to children from the elementary schools.

By the famous Act of 1902, of which you have already heard, the County and other Councils are permitted to aid Secondary Education, and the Municipal Secondary Schools referred to below are one of the results of this Act. Large numbers of free places are reserved in these grant-aided secondary schools for scholars proceeding from the elementary schools,<sup>2</sup> and even maintenance allowances are made in the case of the poorer children.

Languages, literature, mathematics, and science form the principal subjects of instruction, and the boys and girls generally look to passing some fairly severe university examination before leaving, such as—in the future—will exempt them from compulsory attendance at a Continuation School (see p. 140).

In the next chapter you will learn how it is possible for the brightest children to climb still further up the "educational ladder," and even enter the Universities with little or no cost to their parents.

#### PAYMENT AND REPAYMENT

[And now let us pause to ask two questions. Firstly, have you ever considered what it costs to educate a child to the age of 14 in an Elementary School, and then for two years in a Central School? You may like to know that although the cost varies somewhat in different localities and in different years, we shall be under rather than over the mark if we reckon the cost of educating a child in our Elementary Schools at £10 per ann., whilst in the Central Schools it rises to over £14 per ann. Thus, every child who spends 9 years in an Elementary and 2 years in a Central School has had not less than £118 spent on his or her education. If he or she passes on to a free place in a Secondary School, the total is considerably more.

Now let us ask the second question and that is, Who pays this large sum of money? Out of whose pockets has it come? The child's parents have not paid it, for the Schools were "free." And the

<sup>1</sup> Under the Education Act of 1918, which is incorporated into the consolidating Act of 1921.

<sup>2</sup> At a cost of not less than £25 per ann. to the community.

amounts they may have had to pay towards the Education Rate (see p. 77) together with the contributions they make in Taxes towards the sums voted by Parliament for Education (see p. 17) do not by any means cover the outlay. Where, then, has the money come from?

You may be told that "the nation" or "the country" finds the money; or that "the Government pays"; or that "it comes from the State," or perhaps, again, it is said to "come out of the Rates," just as though "the nation" or "the country" or the "Government," etc., were reservoirs from which supplies of money could be drawn as easily as we get water out of a tap. That is a very common and a very erroneous impression.

Let us examine what is meant when it is said that the nation or the country or the Government "finds the money," or that "it comes out of the Rates." By the nation or country or State we mean just ourselves and all the rest of the people in this island taken together; and whether we describe them by one title or the other matters very little. They are just our fellow citizens, and the "Government" is simply a group of our fellow citizens to whom we entrust great authority for the time being.

Understand, therefore, that it is our fellow citizens who have borne the chief part of the expense, the child's parents having as a rule contributed only a very small portion of the cost. Grasp firmly this fact that the Government or the State (call it what you like) has no reservoir of money—has in fact no money at all to spend except what it gets out of the pockets of the taxpayers. Similarly the Local Council has no money except what it gets out of the pockets of the ratepayers. Every penny that is spent on the schools comes from these sources. Some people are always clamouring for "the State" to do this or that, and to give money for this or that object. They seem to forget (or not to know) that this money must first be got from the taxpayers, who in most cases are far from well-off, and often have a struggle to "make ends meet"; for only about one person in (rather more than) a thousand in our country is rich enough to pay super-tax (see p. 83).

If you think over these facts you will begin to realise that the majority of young people owe a debt to their fellow citizens who have provided the money that paid for their education and medical care while at school.

And that raises a matter which must be thoughtfully considered. When we owe a debt ought we not in honour and honesty to endeavour to repay it? He that owes so much to his fellow citizens should surely be prepared to make some return. How, you may ask, can a boy or girl make repayment to the "country" or "the State" (i.e. his fellow citizens) for benefits received? Children may not be able to do much, but even children can begin by doing something, as will be seen in a later chapter in this book. And when they arrive at manhood or womanhood there are many ways in which they can repay their debt

to their country, not in money but in doing some useful service for their fellow creatures.

It is in *Service*, not in cash, that we should seek to discharge the obligation that rests upon us. That is what we ought to expect from a good citizen. And as Citizenship is a growing thing and not fixed or stationary, we may find, in the future, that every one will be expected, and perhaps even compelled, to serve his country in some way or other, in return for the educational or other benefits he has received when young from his fellow citizens.]

#### -THE UNIVERSITIES

Not so long ago there were but two universities—Oxford and Cambridge—in the whole of England and Wales, and these two were only open to members of the Church of England. To-day England possesses ten universities, and Wales one, all of them open to students of good character irrespective of their religious opinions. You will see from the following dates how rapid has been the growth in the number of Universities, especially since the days when education was made compulsory. In 1832 the University of Durham received its charter, and in 1836 the University of London (reconstituted in 1898). For many years there was no further creation; then they came with a rush. We now have the Universities of Wales, Birmingham, Manchester, Liverpool, Leeds, Sheffield, and Bristol. Other cities are also anxious to possess universities of their own, and you may probably live to see several more created in Great Britain.

University education is not free to everybody either in this or in any other country; and it would cost a great deal of money and increase taxation if we were to allow every one who wanted, to go to the University free of cost. Sometimes you will hear it said that education should be “free from the bottom of the ladder to the top.” That is a subject you will be asked to discuss in one of the questions appended to this chapter. It is certainly not right, however, that university education should be so costly that none but the rich can afford it; and in the newer Universities you will find—thanks to grants of public money—that the fees are remarkably low and within the reach of nearly every one. The two oldest Universities are still quite beyond the means of poor people, nevertheless, the scholarships offered by the various colleges and the Local Education Authorities are so many and so valuable,

that brilliant pupils of slender means will always be able to enter Oxford and Cambridge at small expense to their parents.

We have said nothing as yet about the Scottish and Irish Universities. This much, however, you ought to know, that Scotland is justly proud of her four ancient Universities—Edinburgh, Glasgow, Aberdeen, and St. Andrews—which are, and always have been, open to the poor as well as to the rich, irrespective of race or creed. Ireland, alas!—once the land of learning—has no such happy record, having been torn asunder for generations by political and religious dissensions. She is now possessed of three Universities—Dublin University, Queen's University, Belfast, and the National University of Ireland.

#### TECHNICAL EDUCATION

For a very long period England enjoyed such unquestioned commercial and industrial pre-eminence, that many people were inclined to laugh at the idea of any other nation ever being able to challenge our position. So secure did our manufacturers feel in their supremacy, that they neglected to keep their machinery, their methods of manufacture, and their system of trading “up-to-date.” They looked too often upon scientific men as mere faddists, quite unable to point out to a business man anything that was worth knowing, or likely to improve established methods of manufacture. Being themselves for the most part ignorant of chemistry and physical science, our statesmen and leaders of commerce did not realise how largely Science was destined in the future to revolutionise Industry. In 1870, when we were just beginning to educate our masses, Germany had for at least two generations been quietly at work upon the general education and scientific training of her young people. After the great war with France,<sup>1</sup> when Germany became a united nation—previously she had been a collection of disunited states—she began in real earnest to compete for a share of the trade of the world, with the result that in the “eighties” of the last century Great Britain awoke to the fact that Germany was becoming a serious rival in fields of industry which the British manufacturer thought were peculiarly his own. At once a cry went up in our land for more “technical education.” Up to this time England had been singularly backward in making provision for Industrial

<sup>1</sup> In 1870-1.

Teaching, or Technical Education, as it is often called. Several efforts had been made in that direction, notably by Dr. George Birkbeck, the Yorkshire physician, and pioneer of "Mechanics' Institutes." The Institute which he founded in London in 1824, which still bears his name, and with which for so long he was associated, was the prototype of scores of others which were afterwards established in all parts of the country. For many years the Mechanics' Institutes had a great popularity, but as they received no aid from the State, and as the industrial teaching they provided was insufficient and often faulty, they degenerated for the most part into cheap reading and lecture clubs, where an afternoon or evening might be spent in a pleasant manner. Some of them, such as the Institutes of Manchester, Huddersfield, and Leeds, maintained their original intention long enough to be converted, in recent years, into Technical Schools. "The utmost," says Sir Philip Magnus, "that can be said for the Mechanics' Institutions is that they afforded during many years of educational obscurity, a glimmer of light which enabled a few of the more gifted of the working classes to grope after the knowledge they required."

Industrial Teaching in this country received a stronger impulse as the result of the Great Exhibition held in London in 1851. This event has been described as "the starting point in the modern history of English manufactures and arts." The name of Prince Albert, husband of the late Queen Victoria, will always be remembered in connection with this famous Exhibition, and with the beneficial influence it exerted upon industrial progress. It afforded for the first time in history an opportunity of comparing British-made goods with those of other nations. The comparison—not always in favour of Great Britain—profoundly affected the industrial education of our country. The profits of the Exhibition, amounting to nearly £200,000, were supplemented by a Parliamentary Grant, and the sum was sunk in the purchase of the land upon which now stand all those buildings, the Royal College of Science, the Central Technical College, and the noble Museums, which have made the name of South Kensington everywhere famous. The Department of Science and Art was established in 1853, and, furnished with money by the Government, began in 1859 a system of grants for Science and Art teaching throughout the country.

## SINCE 1880

Such, briefly, was the condition of technical education about 1880 when the country awoke to its insufficiency.

Technical Institutes and Technical Schools were built in feverish haste, and everybody hoped that our industries would now be placed upon as scientific a basis as those of Germany. In 1889 the Technical Instruction Act was passed which entrusted technical education to the then newly formed County Councils (see p. 69), and authorised them to raise a penny rate for this purpose. For the still further advancement of technical instruction, another Act<sup>1</sup> in the following year provided the County Councils with considerable sums, often called the "whisky money," inasmuch as it was raised by a tax on beer and spirits.

Education is, however, a plant of slow growth, and technical instruction—it was soon found—could not be given in a hurry. Competent teachers and the right methods of technological teaching had first to be discovered. More than that, the pupils needed a better groundwork of general education upon which to build the technical knowledge. Consequently progress was slow, and much of the early effort was wasted. We have learnt that technical education is not essential for every worker, but it is absolutely necessary for all who aspire to become foremen, managers, and technological teachers that the means for such education should be available. Technical teaching must show the connection between principles and practice, and the technological teacher ought to be a master of both. Practical workshop experience should be followed by a study of the theory—each keeping pace with the other. That is the method recommended in the laboratories, workshops, and lecture rooms of our Technical Colleges and of the Polytechnic Institutes of which we shall shortly speak.

But you cannot too strongly realise that the highest branches of technical education can only be acquired if the student has previously had a thorough general education. The engineer, for example, must possess a solid basis of mathematical knowledge if he is to attain to the foremost ranks of his profession.

The right principles upon which to proceed are now understood; and it is satisfactory to know that the influence

<sup>1</sup> Local Taxation (Customs and Excise) Act, 1890.

of the day and evening technical schools and classes is already making itself felt in Industry. A later development is to be seen in the Trade Schools which have been established in various parts of the country, notably in London and the larger provincial towns, in order to give boys and girls a training in their future trade in place of the old system of apprenticeship (see p. 141). In London especially a very complete set of Trade Schools has been created giving a thorough training in a large variety of trades.<sup>1</sup>

Technical training for an agricultural career is given in the Agricultural Colleges distributed here and there throughout the country, and now also at the Universities. This branch of technical education is being further developed in rural districts by the setting up and opening of Farm Schools which are encouraged and subsidised by the Board of Agriculture, and designed to give farm workers an intelligent grasp of the principles that underlie their occupation.

As you learnt in a previous chapter, the County and County Borough Councils are now responsible for the higher and technical education in their respective areas. For these purposes they are empowered to levy a rate in addition to the moneys received from the Government.

#### MODERN LANGUAGES

In one branch of technical knowledge our business men are as yet far behind our great continental rivals—and that is in our knowledge of foreign tongues. The young people in this country, who hope to rise to some post higher than that of the artizan, do not study modern languages to the same extent, and with the same keenness as our friends abroad. Take, for example, the work of a commercial traveller. The trade of a country depends, as you perhaps know, largely upon the "pushfulness" of commercial travellers, who go everywhere with samples of goods, trying to induce people to become customers. Now, unless a commercial traveller can speak some foreign tongue he will not find it easy to "push" his firm's goods in a foreign land. Manufacturers of (let us say) cotton goods, need men who can travel into distant countries

<sup>1</sup> Parents who are anxious to put their children into some skilled occupation would do well to make inquiry concerning these excellent schools. Apply to the Education Department at the County Hall.

and speak to the people in their own language, and sell to them in the weights and measures and coinage with which the inhabitants are familiar. What would you think if a man came from France, and addressing you in the French language tried to sell you cloth at so much a metre, or wine at so many francs per hectolitre ? You would probably ask him, first of all, to speak English, and then to translate his weights and measures and coinage into lbs., yards, and shillings. That is where English commercial travellers are apt to fail. So few of these "ambassadors of trade" are capable of conversing with foreigners in their native tongue. The Germans have recognised for many years the necessity for training their clerks and commercial travellers in business methods, and have established schools and colleges where a youth may study not only foreign languages, but also the commercial usages of, and the particular exports and imports of the leading countries of the world. Some day we shall have many of such schools and colleges in this country, but, meanwhile, the trade of Great Britain suffers for want of more skilful and accomplished linguists.<sup>1</sup>

You may be interested to learn that next to English the most important of all tongues for mercantile purposes is Spanish, that being the language of the vast continent of S. America—a great market for British goods. French and German are, of course, of very high value, but to the commercial travellers who can speak Spanish or Russian<sup>2</sup> the richest opportunities are undoubtedly open.

It is not for business purposes only that one ought to learn foreign languages. When you grow up you will probably travel for pleasure on the continent of Europe, and unless you can understand, and to some extent speak a foreign tongue, you may find yourself in difficulties. Moreover—and this is by far more important—to master a foreign language affords an excellent mental discipline. It also unlocks many treasures of literature of which you would otherwise remain ignorant. Let each boy and girl determine to acquire thoroughly at least

<sup>1</sup> The foregoing passage was written in 1913, since when much progress has been made in the direction indicated. A degree in Commerce has also been created by the University of London.

<sup>2</sup> This was true when this book was published in 1913. It will be doubly true if Russia should evolve some well-ordered system of government out of the present chaos.

one other language beside his own. Now that day and evening classes in modern languages are found in practically every Technical Institute and Evening School, there is no lack of opportunity. And speaking of such opportunities brings us to the consideration for a moment of those twelve institutions in London known as

### THE POLYTECHNICS

In our country, as, perhaps, you have already noticed, the State is very slow to take up any work which can be undertaken by private enterprise, and the early Mechanics' Institutes, and the first of the Polytechnics—the one in Regent Street, London, founded by that great philanthropist Mr. Quintin Hogg—were established by private individuals who perceived the need among the working population of technological instruction. There are now many Polytechnics, supported largely from public funds. The range of their activities is very wide, comprising both day and evening classes in literary and technical subjects. Their class-rooms, laboratories, and workshops are thronged with young men and women. Now that the old apprenticeship system has almost disappeared, the Technical Institutes and Polytechnics are fulfilling a most valuable function in thus training young artizans in the scientific details of their craft. Every young workman ought to spend his day partly in attending a technical school, and partly in the workshop. Many employers fully recognise this fact and arrange for their apprentices and younger employees to spend a portion of their working hours in attending the technical school *without any loss of wages*. The masters also in such cases usually pay the small fees charged for the instruction. A bright and industrious youth has, therefore, at the present day, opportunities of advancement such as were denied to an earlier generation.

[We leave this passage as originally written since it affords an excellent idea of the purpose of the Continuation Schools now about to be established (see p. 140). It is intended to broadcast throughout the country opportunities similar in character, though perhaps not always so extensive in scope, as those offered by the London Polytechnics and to render it obligatory upon all young persons to avail themselves of these facilities for further education, literary or technical or both.]

The Polytechnics and similar institutions make excellent provision also for girl students. Special teaching is given in domestic subjects, such as cookery, laundry-work, sick-nursing, millinery, dressmaking, upholstery, needlework, etc. There is, moreover, a recreative and social side to the work of the Polytechnics which is intended to bring the students into pleasant social intercourse with each other. They make themselves the centre of much of the social, as well as the intellectual life of their students. No institutions in our country are performing a finer work than the Polytechnics in training the youth of both sexes to become skilful and efficient workers, and thereby valuable citizens.

“ When one considers the advantages which are offered to workmen and apprentices in any of our newest Technical Schools, we recognise the immense progress that has been made since Birkbeck first lectured to his artizan audience. It is not only that the teaching embraces new subjects never thought of as susceptible of educational treatment a century ago ; it is not only that the instruction is given in palatial buildings fitted with adequate machinery and with every mechanical appliance for illustrating the lessons ; but the methods of instruction are altogether new, designed not only to inform but to train, and to exhibit in a manner previously not thought of—the connection between practice and theory.

“ Comparing the condition of education now with what it was in the beginning of the century, the contrast is most marked. An advanced elementary education in which manual training largely enters, is afforded absolutely free to every child in the realm. Facilities of secondary education by means of scholarships are within reach of nearly all who are fitted to profit by it. Technical and commercial instruction adapted to the requirements of the industrial classes, and to the different occupations in which they are engaged, is provided by local authorities, and University Education, including engineering in its widest sense, is available for a large and increasing proportion of the young men and women of the country.”<sup>1</sup>

If this was the position in 1900 before the passing of the Act of 1902 to which so many references have already been

<sup>1</sup> Sir P. Magnus, M.P., at the Cambridge Summer Meeting, 1900.

made, to a still greater degree is it true to-day.<sup>1</sup> Let each of you compare the advantages of the present time in respect to the facilities for education, with those of the bygone years described in the early part of Chapter XII., and draw for yourselves the lesson which such a comparison affords.

### THE EDUCATIONAL LADDER

What is meant by the educational ladder or "highway" as it is sometimes called? Surely we mean the opportunities afforded by the State to young people to climb from the primary schools up to educational institutions of the highest rank. Rich people can afford to send their children to any school or college they prefer, so the "ladder" concerns only those boys and girls who have no other capital than their own abilities. From what you have read in the preceding pages you must have recognised that the children of to-day have advantages and opportunities of advancement which their forerunners never enjoyed. This is as it should be, for talent or genius is not confined to any one class of society. The highest ideals of citizenship cannot therefore be attained unless there is provided for all, whether rich or poor, an equality of educational opportunity to develop their powers of mind to their full height. This, of course, implies that there shall be a complete educational ladder<sup>2</sup> whereby children and young persons of proved ability, who would benefit by higher teaching, may climb to the level which they are capable of reaching.

We have used the word "climb" with a purpose, for it is very little use "pushing" any one up the higher rungs of the educational ladder. The incentive to rise must come from within.

An intelligent boy or girl, therefore, who courageously determines to "get on," will find that the County and other Councils, as well as the Government, offer all manner of scholarships, exhibitions, grants and bursaries by which deserving pupils can pass from lower to higher places of education—even up to the University. Furthermore, travelling expenses, maintenance allowances, and emoluments of one sort and another are available for the assistance and support of the

<sup>1</sup> Especially since the passing of the Education Act, 1921.

<sup>2</sup> The Continuation Schools which it is intended to establish in every centre of population supply a "rung" that has long been wanting.

young student who otherwise would have at once to begin wage-earning. You would be surprised also to learn what a number of public bodies there are as well as private and philanthropic societies and guilds, all ready to help those who will help themselves. It would occupy a volume to enumerate them. Ask your parents or guardians to write to the Director or Secretary of Education for your County or Borough or Urban District Council, requesting him to send information upon the opportunities offered by the Council in the way of higher and technical education.

If you live in London send to the L.C.C. Education Offices, at the County Hall, for the booklets or leaflets describing the Scholarships, etc., open to persons of both sexes. Practically all Councils offer Minor and Major Scholarships—the former to enable pupils to proceed to secondary schools, and the latter to colleges and places of higher education.

If you have a gift for teaching—and unless you have special aptitude do not take it up as a profession—you will find that the State is prepared to pay practically every penny of your education from childhood up to the moment when you emerge from the Training College as a fully certificated teacher (see p. 142). If you wish to learn a trade, or how to farm, there are Trade Schools and Farm Institutes now being established up and down the country, as well as the Technical Institutes and Polytechnics already described, all of them open with little or no payment to industrious and well-behaved pupils. In some cases actual money payments are made to the students to compensate for the loss suffered by being temporarily withdrawn from a wage-earning employment. When about to leave school be sure to acquaint yourself with all the opportunities afforded to you for instruction in the employment of your choice. Think of these things beforehand. Remember that the worst thing that can happen to anyone is to drift into a "blind-alley" occupation, that is, one that leads nowhere. With a skilled trade at his finger ends a man can always earn his living in whatever country he ultimately settles, whereas one without a trade is often cast adrift on the world to become a burden upon his friends, or perhaps upon the rates.

We will conclude these chapters on Schools and Scholars with a short homily which you can skip if you like.

## A LITTLE HOMILY

Do not think that education ends with school or college life. No greater mistake could be made. Your education ought never to cease. A good citizen will try to keep abreast of modern movements in politics and society, and should, therefore, always be learning. Self-education is the best of all educations, and a boy has not got the best out of his school-days unless he has *learnt how to learn*. There is no excuse for anyone to remain an ignoramus now that Free Libraries, Art Galleries and Museums are found in every town, and in almost every village, as well as Day and Evening Classes and Lectures.

It is a wise and witty utterance which declares that an educated man is one who knows "everything of something and something of everything." A person who is master of some art or craft can face life with equanimity. There is always work waiting for him to do. A good workman, or a fine artist, or musician, or a gifted teacher enriches the community in which he dwells. He contributes to the common good. And that is why the State and the Municipalities are willing to expend such very large sums of money—all of which come, as you have already learned, out of the pockets of the taxpayers and ratepayers—upon education. "Education leads to light," were the words uttered once to the writer of this book by a poor labourer. This is what it ought to do even if sometimes it fails. We know from experience that crime diminishes when schools are opened, and that since the Education Act of 1870 many big prisons in this country have been closed and pulled down. These things are symbolical. Money spent over schools is a good investment if, thereby, boys and girls are trained up to be better workmen and better citizens. If it does not do this it has failed in its purpose. It would indeed, be a miserable result if a good education were to turn a promising artizan into a discontented loafer with a distaste for manual labour. Education does for the mind what the grindstone does to the steel. By sharpening the intellect, as well as by training the reasoning faculty, and by widening the outlook, it renders man more efficient in the performance of his daily task, and of the duties of citizenship—duties which each year become more serious and more complex.

**QUESTIONS FOR DISCUSSION AND RESEARCH**

1. Name any Endowed School in your neighbourhood. Who was its Founder, and by whom is the school managed ?
2. What places of higher education are there in your district, and how is entrance obtained thereto ?
3. What is the name and official address of the Director or Secretary of Education for your County, Borough, or Urban District ?
4. What is your nearest University ? Are there any Scholarships from your School to the University ?
5. Are there any Technical Schools, Trade Schools, or Agricultural Colleges in your town or county ?
6. What do you know of the Workers' Educational Association and of its Tutorial Classes ? Make a point of ascertaining all you can about this Association and its work.
7. If you were wishful to become (a) a Teacher ; (b) a Surgeon ; (c) an Electrical Engineer ; (d) a Farmer ; (e) a Printer ; describe in each case the course of education you ought to pursue, and what facilities for such education exist in your locality.
8. Discuss the pros and cons of (a) free secondary ; (b) free university education.
9. Name some "blind-alley" occupations. Ought the State to regulate the entrance of children into such occupations ?
10. What is the meaning of "Empire Day" and why was May 24 chosen for its celebration ?
11. Analyse the impulse that actuated the country when, in the midst of the Great War, it determined upon the widely-extended and costly schemes set forth in the Education Act of 1918.

## CHAPTER XIV

### *THE STATE AND THE CHILD*

#### INTRODUCTORY

LESS than a century ago the State cared little or nothing for the welfare of Children. If the parents of a child were dead, or if they were hard-hearted, or if unable for any cause to look after the health, happiness, and education of their offspring, there was nobody else to do these things. We have read of the slow evolution of a system of national education, whereby every parent can be compelled to send his child to school between the ages of 5 and 14. We will now first of all survey what has been done by the State for the young workers of the community (for you must never forget that the majority of children have to begin wage-earning the moment the law allows them to leave school), and will then see what the State is doing to-day for the protection and welfare of children from their birth to the time of leaving school.

We will also ascertain what methods the State now adopts to punish and reclaim erring children who are entering upon a course of crime. And in each case we will compare the present day methods with those in force in the days of our grandfathers. Perhaps you will then understand why this 20th century has been called the Children's Century.

You who live in these better days when the State protects those who cannot protect themselves, and when Homes, Hospitals, Asylums, Associations, Societies, and Committees of all kinds are at work endeavouring to improve the lot of the young workers, can hardly believe how terrible was the fate less than a century ago of those children who had lost their natural protectors—their parents—and were thrown on the charity of the world. And in order that you may realise

your present advantages, and may determine as good citizens to hand on to posterity even greater privileges than you now enjoy, we will, for a few minutes, turn over the pages of history, and learn how the child-workers fared in the early 19th century.

### BEFORE 1832

We need not go back beyond the memory of people still living. Let us glance very rapidly at the period before 1832 when the working classes had no votes, and the big towns no Members of Parliament. As this is only a little book, we will leave out altogether from our story any reference to the condition of *adult* workers, and confine ourselves to the lot of the children.

When machinery began to take the place of hand labour in spinning, weaving, etc., men and women began to be drawn into the towns from the rural districts on account of the higher wages which could be earned in the factories, and, of course, they took their young children with them. The wages of adults were very small in those days, but they were better than could be got by farm labour. It was soon found, however, that the duties of tending the machines, and of fetching and carrying materials, could be done by very young children. Child labour, was, moreover, very cheap. Employers thought it absurd to pay 1*s.* a day to a man for work which a child could do for 1*d.*, and the children were consequently drafted into the factories as soon as they could walk. When the supply in the locality was insufficient, the deficiency was made up by bringing others from a distance. The Poor Law Authorities of London sent waggon-loads of pauper children to Lancashire. It was not uncommon for them to be put to work in the factories, workshops, and mines at six years of age, and in some instances they began work at five. The hours of labour of children had, by the first Factory Act in 1802,<sup>1</sup> been limited to twelve, but overtime constantly prolonged this period. "The parent who would endeavour to realise the life of a factory child in 1832," says Sir Spencer Walpole in his "History of England" (Vol. III., p. 201), "should try to imagine his own little boy or girl—eight or nine years old—working in a factory. He should try to recollect that it would be his duty to rouse the child on a cold

<sup>1</sup> 42 Geo. III. c. 73.

winter's morning at five in order that it might be at its work at six ; that day after day, week after week, month after month, it would be forced to rise at the same hour ; that with two short intervals of half an hour each, it would be kept to its dull, monotonous employment for thirteen hours every day ; that during the whole of that time it would be breathing a dusty, unwholesome atmosphere, rarely able to relieve its limbs by sitting down. Such, upon evidence which it is impossible to dispute, was the life of every factory child before 1833. There were tens of thousands of such unfortunates in England alone."

And yet there were men, both in and out of Parliament, who were capable of defending this monstrous system, although they had shown their pity for the sufferings of dumb animals by passing in 1823 a law<sup>1</sup> against the ill-treatment of horses and cattle, and founding in 1824, the National Society for the Prevention of Cruelty to Animals. A child's existence in a well-managed factory was terrible enough, and it must be left to the imagination to picture its wretched life under a harsh master. (Lord Beaconsfield's novel "Sybil" offers a realistic description of the cruelties practised by a heartless employer at the time of which we are speaking.)

In the summer of 1831, Michael Thomas Sadler, member for Newark, pressed upon the attention of Parliament the lamentable condition of the children in factories. In December of that year he introduced a bill to regulate the hours of labour of factory children. He proposed that no child under 9 years of age should be employed for *more* than ten hours a day. Ten hours a day was the limit of labour of a felon in prison. Should little children work longer than a convict ? Fierce opposition was offered by many masters who objected to the Government interfering with industries, and a tedious inquiry ensued, and much evidence was laid before a Select Committee of the House. Medical authorities explained the terrible effects upon children of long hours of hard work in ill-ventilated factories. Operatives came forward to tell the tale of their own sufferings when children, and to show their distorted limbs which had been the legacy of early and heavy labour. Lord Ashley (afterwards the 7th Earl of Shaftesbury) described visits paid by him to the hospitals in Lancashire where he found children crippled and mutilated by their work,

<sup>1</sup> 3 Geo. IV. c. 71.

presenting every variety of deformity "just like a crooked alphabet."

### 1833 AND ONWARDS

In 1833—remember the date—slavery was abolished throughout the British Empire, and, chiefly through the untiring efforts of Lord Ashley, a Factory Act,<sup>1</sup> was passed, which may be regarded as the first important step towards the reorganisation of industry by legislation, and particularly towards the protection of defenceless children.

It was no great reform, but it secured that in cotton and woollen mills children under 9 were not to be employed at all, and under 13 were not to work over 48 hours a week, whilst young persons between 13 and 18 were not to be employed more than 69 hours per week. This Act, however, did not affect silk or lace mills, or workshops, warehouses, mines and collieries where similar legislation was sorely needed, and where the work was not confined to 69 hours a week.

In the coal pits, boys and girls of tender years were still toiling in dark, damp, unwholesome places, dragging or pushing the cars of coal through the narrow galleries. Many of the seams were only 22 or 28 inches high so that none but the small children could pass through them. Little drudges of seven worked for 12–18 hours a day, harnessed like beasts by a chain attached to the loaded trucks, often having to crawl forward on all fours.

"No horse on an overloaded coach," says Sir Spencer Walpole, in his "History of England," "no donkey in a costermonger's barrow, few slaves on the properties of West Indian planters experienced the treatment which was the lot of many children—'hurriers'—in mines."

"Such employment," says Dr. Traill in his "Social England" (Vol. VI., p. 368), "from the age of 7 appears to have been one regular way by which Guardians of the Poor provided for their pauper charges." Their ignorance was appalling. Not one boy in ten, not one grown person in fifty could read.

Again, through the untiring advocacy of Lord Ashley, an Act<sup>2</sup> was passed in 1842, which entirely prohibited the employment underground of girls and women, and of boys under the age of ten. The children's cause was now fairly

<sup>1</sup> 3 & 4 Wm. IV. c. 103.

<sup>2</sup> 5 & 6 Vict. c. 599.

started, thanks to the ceaseless efforts of Lord Ashley and his colleagues, and reforms began to quicken their pace.

In 1847, the Ten Hours Bill<sup>1</sup> became law, which restricted the work of young persons under 18 in textile factories to not more than 10 hours a day, or 58 in any one week between 5.30 a.m. and 8.30 p.m. It also prohibited their working on Saturday afternoons. This modest limitation of the hours of labour of young people of both sexes was received with joy by the factory workers. Between 1860 and 1864 the principles of the last-named Act were extended to many other trades by a series of statutes. The Factory Acts of 1867, 1870, 1871 and 1874 each introduced some new feature.

### 1878

The famous Act of 1878,<sup>2</sup> which consolidated 16 previous statutes, affords a prominent landmark in the history of labour legislation. Under this law children and women received still further protection. For instance, the employment of children was to be for half-time only (*i.e.* in the mornings or afternoons, or on alternate days); the cleaning of machinery in motion by children was forbidden; whilst numerous provisions were made as to meal times, holidays, security against accidents, inspection, sanitary matters, etc. A "child" also was defined to be anyone under 14, and a "young person" anyone between 14 and 18. Speaking generally the Act of 1878 remained unaltered until 1901, when by a new Act<sup>3</sup> the provisions for safeguarding the workers against accidents were strengthened, and rules were laid down for maintaining comfortable temperatures in work-rooms. This Act must be remembered, for it also regulates the night work of youths, and prohibits absolutely the employment of children under 12 in factories, workshops, docks, wharves, or laundries.

The country had now awakened to the fact that the children of one generation are the adults of the next, and that one cannot expect to rear a nation of strong men and women, sound in mind and body, to whom the care of such an Empire as ours can be safely entrusted, unless the children are properly fed, clothed, taught, and protected until of an age to do these things for themselves.

<sup>1</sup> 10 Vict. c. 29.

<sup>2</sup> 41 Vict. c. 16.

<sup>3</sup> 1 Ed. VII. c. 22.

## INTERNATIONAL LABOUR LEGISLATION

[The above restrictions upon the labour of children and young persons were further reinforced in 1907 by yet another Factory and Workshop Act,<sup>1</sup> which extended the provisions of the 1901 Act to laundries and institutions such as Reformatories, Charitable Homes, etc. In 1920 we get a piece of legislation of a quite remarkable character, to understand which we must go back to the Great War and the Peace Treaty signed on June 28, 1919, at Versailles.

Under the League of Nations, created by this Treaty (see pp. 16 and 128), an "International Labour Organisation" was set up consisting of representatives of most nations except America. The object of this organisation is to collect and distribute information "on all subjects relating to the international adjustment of conditions of industrial life and labour," and to recommend legislation which shall secure uniformity of conditions of labour among the several nations.

A General Conference of this organisation was held at Washington in November, 1919, and again at Genoa in July, 1920, and certain "Conventions" or recommendations were agreed upon, among others, that the States represented should pass a law that no child shall be employed in any industrial undertaking (e.g. a factory) or in a ship (with certain exceptions), and that no young person or woman should be employed at night (i.e. between 10 p.m. and 5 a.m.) in any industrial undertaking except under specified circumstances.

Our Government accepted this "Convention" and passed the "Employment of Women, Young Persons and Children Act,"<sup>2</sup> which describes itself as "*An Act to carry out certain Conventions relating to the Employment of Women, Young Persons and Children.*" This Act embodies the recommendations above mentioned.

In it we witness the first fruits of the International Labour Organisation of the League of Nations, and you will probably find other "Conventions" issued from time to time, and should make a note of any legislation following in harmony therewith.]

## DEFECTIVE CHILDREN

The large number of defective, epileptic, physically and mentally deficient children in our midst presents a very difficult problem for the State, for it is plain that we cannot expect a healthy race to spring from those whose faculties or bodily powers are unequal to undertaking the rightful duties of citizenship. For the benefit of these unfortunates several noteworthy laws have been gradually enacted. By an Act passed in 1893, the Elementary Education (Blind and

<sup>1</sup> 7 Ed. VII. c. 39.

<sup>2</sup> 10 & 11 Geo. V. c. 65.

Deaf) Children Act,<sup>1</sup> a parent must cause a blind or deaf child to receive suitable instruction, and the Local Education Authority is bound to provide facilities for such education. By another Act in 1899,<sup>1</sup> the duties in respect to epileptic and feeble-minded children were made substantially the same as in the case of deaf or blind children, viz. if there happened to be a certified "Special School" near at hand, it was made compulsory upon the parents to send the child to that school. In 1914 yet another law<sup>1</sup> laid upon the Local Education Authority, the *duty* of making suitable provision for the education of these children and also for those who though not deaf or blind might be otherwise physically defective.

Still later again, in 1913, a most salutary law was enacted—the Mental Deficiency Act<sup>2</sup>—which, while not hampering or destroying any of the existing voluntary agencies, strengthens the hands of local authorities in dealing with the defective and imbecile children in their midst, particularly when they leave the Special Schools—a much needed provision which was lacking in the earlier law.

[The Act, which is a long one, containing 72 sections, compels local authorities to appoint a "Committee for the Care of the Mentally Defective," containing "co-opted" members having special knowledge of the subject. The Local Education Committee must also ascertain what children in their district are mentally defective and whether they are capable of receiving benefit from attending the Special School, and reporting those that are not. Briefly stated, this Act enables children to be dealt with *compulsorily*, if incapable; mentally or morally, of benefiting by the Special Schools, or if notified by the Local Education Authority as requiring protection after leaving such school.

To help the numerous defectives who are not certified as needing institution care, Voluntary Associations have been formed in different parts of the country. The work upon which they engage is of high value and is especially such as ladies of leisure may undertake. The names and addresses of the local secretaries and other information regarding the care and training of defectives may be obtained from the "Central Association for the Care of the Mentally Defective."<sup>3</sup>]

<sup>1</sup> Now repealed and its provisions incorporated into the Education Act, 1921.

<sup>2</sup> 3 & 4 Geo. V. c. 28.

<sup>3</sup> Present address Queen Anne's Chambers, Tothill Street, Westminster.

## STEADY PROGRESS

The Acts of Parliament which were passed in the last years of the nineteenth century for the better protection of infant life and for the prevention of cruelty to children, have been much extended by more recent legislation.

Indeed, we shall find as we proceed that the State now aims at providing, at the public expense, a complete protective and educational service for the child from infancy to at least 14 years of age. It is worth while, therefore, to trace the development of this protective work undertaken on behalf of those who are to become the responsible citizens of the future. It will enable us to ask again the question raised on p. 148, whether the costly and beneficent services which the State now performs for the child, may not properly be followed by a demand that the recipient of such care shall in later years, when arrived at manhood or womanhood, make some return to the State in the form of social service ?

Let us, then, briefly survey the measures that have been, one by one, devised by Parliament for the protection of the child from the bitter lot to which, as we have seen, the children of not-so-long-ago were helplessly exposed.

To begin with, in 1903 an Act was passed called the Employment of Children Act,<sup>1</sup> shielding children from many hardships by regulating street trading (such as selling newspapers and matches), and by forbidding their carrying of heavy weights in factories.

In 1904 the law was still further strengthened by the Prevention of Cruelty to Children Act,<sup>2</sup> which restricts the employment of children in acrobatic and theatrical performances, and in street trading. In 1906 a most humane law was passed, the Education (Provision of Meals) Act,<sup>3</sup> which allowed a Local Education Authority to feed necessitous children who come to school hungry and unfed, and to recover the cost of such meals, where possible, from the parents. Some years later, another Act<sup>4</sup> was passed by which Local Education Authorities are permitted to spend money out of the rates in feeding the necessitous school children during holidays as well as in term time. In this you see the State

<sup>1</sup> 3 Ed. VII. c. 45.

<sup>2</sup> 4 Ed. VII. c. 15.

<sup>3</sup> 6 Ed. VII. c. 57.

<sup>4</sup> 4 & 5 Geo. V. c. 20.

(All these Acts are now consolidated into the Education Act, 1921.)

acting as foster-parent to those whose proper parents or guardians have failed or are unable to perform their natural duties.

About 1907 it became apparent that the State must begin the protection of child-life at an earlier age than that at which the child entered school. The school attendance officers (whose duty it is to look after absentees and find out the cause of the absence) constantly reported that numbers of youngsters were kept from school for long periods by ailments that could soon be cured with proper medical attention. Moreover, the doctors had long insisted that unless children are properly nursed and nourished and medically cared-for in their early years, no amount of after-care will make up for this want of care in infancy.

So we next see Parliament putting forth an attempt to secure medical attention for the children, by the Education (Administrative Provisions) Act,<sup>1</sup> which decreed that the children should be medically inspected, either before, or soon after, their admission to the school, and before leaving to go out into the world. This was a most valuable provision, but it did not go far enough. Vast numbers of children have become permanently injured in health for want of a little medical attention when young. Many eye, ear, throat, teeth, and skin troubles that would otherwise develop into serious defects or diseases can be remedied by early treatment.

The Act of 1907 laid upon the Education Authorities the duty of finding out the children that needed medical attention, but it did not make compulsory the duty of seeing that medical treatment was given. Kind-hearted people, however, stepped in and voluntarily undertook the provision of nurses and treatment. This gradually led to the establishment of medical and dental "Clinics" for school children, and of Open Air Schools and Classes. Charitable societies also came forward to supply those who could not otherwise afford them with spectacles, surgical appliances, etc.

A real Health Service in the interests of the children began rapidly to develop in our leading towns and cities, and in 1909 an Act<sup>2</sup> was passed which enabled the Education

<sup>1</sup> 7 Ed. VII. c. 43, now consolidated into the Education Act, 1921, which also extends the service to (provided) Secondary Schools and Continuation Schools.

<sup>2</sup> 9 Ed. VII. c. 13, now absorbed into the Education Act, 1921.

Committee to recover from the parents the cost of the medical treatment given at the Clinics.

[This latter Act has, however, not been very successful. It is a feature of modern times, which cannot be overlooked, that many people regard the State as a means of providing for their enjoyment all manner of costly services for which they must not be called upon to pay anything at all or make any return whatsoever. The sums paid to the State in rates and taxes by the majority of those who accept these services are quite insufficient to defray their cost (cf. p. 147).]

To the observer of this tendency to regard the State as a universal provider of free benefits, the difference between the receipt of charity and of free services, such as those just described, is imperceptible. The highest ideal of citizenship requires us to make some return for benefits received, either in money (e.g. rates and taxes), or in some form of service to the State. To the very poor and helpless our charity should always be extended ; but for the parasite who accepts ail and gives nothing we have rightly a contempt. We cannot, however, allow the children to suffer, and must therefore hope that in later life they may develop a vigorous and self-reliant spirit, and as good citizens, both recognise and discharge the debt they owe to the State.]

#### INFANT WELFARE

The good work thus set going about 1907 grew apace and the oversight of the health of babies and little ones under five—the school children of the future—next became a matter of increased attention on the part of the most progressive Local Education Authorities. But for several years this remained an optional duty which the Local Authority might or might not undertake. One town, therefore, would have a complete service of Health Visitors, Nurses, School Clinics, etc., whilst another would have little or nothing of the kind. As already stated, the Act which provided for the Medical Inspection of children (see p. 169) did not make it compulsory upon all Local Authorities to give medical treatment, with the result that some backward towns did nothing until they were compelled so to do by public opinion. So beneficent, however, was this work found to be, that at length in 1915 an Act<sup>1</sup> was passed which rendered it easy for every Local Council to engage in social service of this character, by aiding them with grants of money from the national purse.

Almost every Local Authority has now appointed a staff

<sup>1</sup> Notification of Births (Extension) Act, 5 & 6 Geo. V. c. 64.

of experienced Health Visitors, whose duties include the giving of advice to mothers upon the care and management of their infants. Nearly all these Health Visitors are nowadays paid out of the public funds (*i.e.* rates and taxes), but there are still a number of them working without pay in connection with voluntary societies.

[The excellent work performed under the Act just mentioned was in 1918 still further extended (especially in the direction of watching over the health of mothers and their babes, and rendering aid in nursing and help in the home) by yet another statute,<sup>1</sup> under which every Local Authority must establish a "Maternity and Child Welfare Committee" composed partly of "co-opted" members—generally ladies—qualified by training or experience in subjects relating to health and care of infants. Though the Ministry of Health now defrays part of the cost of the Health Visitors, Nurses, Home-helps, etc., there is still a demand and ample scope for voluntary workers in this wide field of social service.

Before leaving this important subject we may note with satisfaction that the Education Act of 1918 (which has itself been incorporated into the still wider Education Act of 1921) laid upon every Local Education Authority the *duty* not only of the medical inspection of school children, but also of providing or making arrangements for treatment—medical, surgical, and dental.

These Acts also give power to Local Education Authorities (when they can afford it) to establish Nursery Schools for little children from the ages of 2 to 5. The ideal for these schools is that of a well-conducted nursery. Their especial use will be to take care of very young children whose mothers are obliged to go out to work. Their main object is the safeguarding of the children's health, the development of their intelligence, and the formation of good habits and manners. Thus at last we see the child's health of body and mind safeguarded by law from birth to, at least, 14 years of age—an achievement which every British citizen may view with legitimate pride.

One little piece of useful legislation on behalf of the children, also enacted in that fruitful year 1907, deserves mention, hidden away as it is in a statute that had really nothing to do with young people. We refer to a clause in the Public Health (Amendment) Act,<sup>2</sup> of the year above-mentioned, which gives power to local authorities to set apart a portion of a public park for the sole use of the children, and to supply and fix apparatus for games and recreations. That, you will admit, is the part of a kind foster-parent, and nothing is more delightful than to see the abundant happiness that such provision for their enjoyment in the public parks confers upon the little street-bred children of London. The London County and other Councils also provide

<sup>1</sup> 8 & 9 Geo. V. c. 29.

<sup>2</sup> 7 Ed. VII. c. 53.

officers to watch over the children at play, and to protect them from molestation or danger.]

### A RETROSPECT AND A PROSPECT

Let us pause for a moment and contemplate these wonderful achievements. In 1802 we find the first factory Act, feebly attempting to remedy conditions of child-labour too dreadful for description. A century later, a code of factory legislation which is the admiration of all other countries! Why have we in this little book on citizenship thus re-opened the sad past, and traced the growth of the factory laws?

Why did we in similar manner investigate the slow development of our educational system? Why shall we in the next chapter likewise review the steady evolution of higher ideals in the treatment of young offenders against the law? What is the citizen, young or old, to learn from all this? The answer is short. We learn from these things the gradual triumph of Right over Wrong. Progress may seem slow, and many hearts have been broken in its tardy advance. But it is sure. There is something divine in the breast of every human being that answers to the call of Right, and if Right is constantly and faithfully held up before their vision, mankind will follow it. Never lose hope, therefore, in any great cause that has for its object the righting of wrongs, or the amelioration of the lot of the downfallen and oppressed. Take heart of grace from what you have read about the victory of great and righteous causes. In Education, for instance, we have seen the public conscience stirred until now it holds that the State—

“ While she exacts allegiance shall admit  
An obligation on her part to teach  
Them who are born to serve her and obey ;  
Binding herself by statute to secure  
For all the children whom her soil maintains  
The rudiments of letters ; so that none  
. . . be forced  
To drudge through weary life without the aid  
Of intellectual implements and tools.”<sup>1</sup>

The poet’s prophetic vision, as you now know, has been fully realised.

<sup>1</sup> Wordsworth, “The Excursion,” Book IX. (written about 1812).

We have seen, too, that the State by degrees has recognised that she must protect and champion the young and defenceless, and make their wrongs her cause. In the next chapter we shall discover again that the State is slowly realising that harsh and cruel laws are no cure for crime, and that there are nobler ways of reforming the offender than by devising punishments. Everywhere, and on all sides, we are watching the slow triumph of Right over Wrong.

Looking backward, then, who can say that our England is not better than it was a century ago? Looking forward, who shall say it will not be still better a century hence? But only by patiently working for lofty and noble causes. We are enjoying to-day the fruits of the labours of the faithful workers of an earlier day. Let it be your aim to carry the torch forward. There is no lack of great causes. Seek one, and make it your own, and "whatsoever thy hand findeth to do, do it with thy might."

#### THE CHILDREN'S CHARTER

And now we must investigate the great Children's Charter, the Children Act of 1908,<sup>1</sup> which gathers up into itself many little odds and ends of previous laws, and adds much that is new and important. Under this comprehensive Act the child's progress from infancy to youth is safeguarded at practically every stage. So minute are its directions that it even prohibits the leaving of little children under seven in a room with an open fire, without a fireguard. It forbids entirely the sending or taking out of children into the streets to beg or sing or solicit alms; it punishes the people who send or take them out to do these things; it prohibits children under 14 from engaging in any dangerous acrobatic performances, whether in public or private; it prohibits the giving of intoxicants to children under 5, and fines the publican who allows children to come into his bar. It forbids the sale of gunpowder and cigarettes to children, and makes it an offence to invite young persons to bet. If they are cruelly treated this remarkable Act says that children may take refuge in a police-station, or in a hospital or workhouse, and there be kept and kindly treated until the magistrates can make satisfactory arrangements for their future care. You

<sup>1</sup> 8 Ed. VII. c. 67.

will learn, too, in the next chapter that special Courts are established by this Act for children, at which juvenile offenders are tried, quite apart from the adult criminals. The idea underlying this provision is to protect young people from all contact with the contaminating influence of hardened or habitual criminals. Thus, you see, from the few details that have been cited above, how wide is the operation of this splendid law, and how it endeavours to repair the terrible conditions of the first portion of the last century, when the children of the poor were even less cared for than the dumb animals. The general aim of Parliament has been to assure to the rising generation the right to a healthy and happy childhood, by shielding them from all forms of cruelty as well as from unwholesome and degrading influences. To secure this end parents and guardians are made responsible, and can be fined or imprisoned if they fail in their duty. Indeed, the Children Act requires the attendance of the parent at the Court (if any of these regulations are broken), and he must show—if he would escape a fine—that he took proper care of his child.

[Since the Children Act, other protecting arms have been thrown by the State round the children of the poor, by a law<sup>1</sup> which makes it an offence to sell spirits to any young person under 16, or beer to any child under 14, except in corked and sealed bottles. Another short Act passed in 1913, as a sort of afterthought to the Children Act, and ordered “to be construed as one with” that Act, is aimed at parents who exploit the talents of their children for the sake of profit. This, as you read on pp. 168 and 173, is now prohibited in our country, but it was still possible to take children abroad for this purpose.

The Children (Employment Abroad) Act<sup>2</sup> now prohibits or restricts children and young persons being taken *out of the Kingdom* with a view to singing, playing, or dancing, etc., for profit.

When you thus compare the protection and care bestowed by the State upon the children of to-day, with the defenceless position of the little ones of whom you have read in the early part of this chapter, you will agree that the 20th century does, indeed, merit the title of the “Children’s Century.”]

#### CHILD-WELFARE SOCIETIES

Not only has the State, acting through Parliament, recognised its duty to the Child, but numbers of voluntary

<sup>1</sup> Licensing Consolidation Act, 10 Ed. VII. & 1 Geo. V. c. 24.

<sup>2</sup> 3 & 4 Geo. V. c. 7.

societies and associations have also been established in response to the general sentiment, charging themselves with the welfare of the young. One fine example of such voluntary agencies is that founded by the late Benjamin Waugh, and incorporated in 1895 by Royal Charter under the title of the National Society for the Prevention of Cruelty to Children.<sup>1</sup> Sad it is to think that such an organisation should be necessary, but its records only too fully show how great a call there has been for its activities.

Of the numberless other voluntary agencies which aim at helping children and young persons at critical periods in their lives one can only indicate a very few.

More definitely concerned with boys and girls at the moment they are thrust out into the world to gain their livelihood are the

#### JUVENILE EMPLOYMENT COMMITTEES

established under the Labour Exchanges Act<sup>2</sup> and the Education (Choice of Employment) Act.<sup>3</sup> These have been formed to give children information, advice, and assistance with respect to their choice of a career, and to prevent, as far as possible, boys and girls from entering "blind-alley" occupations (such as errand boys, golf-caddies, etc.), which attract by reason of the immediate higher wage, but which offer no permanent prospects.<sup>4</sup> The Committees formed and worked by Local Education Authorities under the last-named Act are voluntary organisations which often still further add to their labour of love by the establishment of After-care Committees, composed of voluntary helpers who follow up the work of the Juvenile Employment Committees by visiting the children in their homes during the earlier years of their industrial life.

The value of all this social work cannot be over-rated :

<sup>1</sup> 39, Leicester Square, London, W.

<sup>2</sup> 9 Ed. VII. c. 7.

<sup>3</sup> This Act, passed in 1910, was repealed by the Education Act, 1921, but a demand has been made for its re-enactment, as it is felt that the Education Authorities who worked the Act are in closer touch with the school children and know their characters, circumstances, and capabilities better than do the officials of the Labour Exchanges. Readers should follow the course of legislation on this important subject.

<sup>4</sup> See remarks on pp. 141 and 158.

for unless some such preventive measures be taken and systematically followed up, there is a very real danger lest the community may be burdened by an increasing number of persons leading futile or perverted lives, valueless to the State, and a menace to society. What we need are healthy intelligent, self-reliant and self-supporting men and women—people of *character*—capable of fulfilling all the duties of citizenship, and playing their rightful part in the national life.

As we showed on page 141, many boys drift into these occupations on leaving school at 14, largely because of the breakdown of the system of apprenticeship in skilled trades. They are too young at 14 to be of much or any use in a workshop and so they take up employment of an unskilled and casual nature. Once started on such a downward course they can hardly get out of the rut.

Before the war it was authoritatively stated that less than one-third of the boys leaving elementary schools entered a skilled trade. To-day the position is still worse.

It is to the Continuation Schools of which we have spoken (see p. 140) that we shall especially look to prevent this lamentable waste of "human capital."

#### OTHER VOLUNTARY AGENCIES

Of other voluntary agencies having for their object the increased welfare of the young we must not overlook the Children's Care Committees which of late years have been formed in most large towns in the country. The inestimable social and charitable work of these organisations is almost entirely carried on by women, whose self-sacrificing zeal for the welfare of the youngest members of the community is one of the nation's most precious assets. These Committees deal with the health and feeding of necessitous and neglected school children; with the provision of boots for the poorest scholars; with their recreation outside school hours, by forming "play centres,"<sup>1</sup> and organising the play of the children

<sup>1</sup> A large mass of evidence from many quarters shows the high value of "play centres" in counteracting the dubious attractions of the streets in the out-of-school hours, and in preserving during the holidays the good influence established in the day school. There is always a call for voluntary workers in the play centres.

living in the poorest and most crowded quarters of the towns, and with the innumerable incidents of child-life where wise counsel and timely help may save from disaster, particularly at the time of transition from school-life to the life of adult employment. They also encourage children to join an evening continuation class as soon as they cease to attend the day school. The Invalid Children's Aid Association<sup>1</sup> is yet another of these voluntary agencies for social service among the London Poor. Its activities are directed towards assisting invalid and crippled children, by providing medical advice, nursing care, surgical appliances, wheelchairs, and other comforts. Through its kindly offices children are boarded out in the country and at the seaside, and when restored to health an endeavour is made to place them in occupations suitable for persons physically handicapped. The noble work of the Shaftesbury Society and Ragged School Union has already been noted (see p. 135). The Children's Aid Society,<sup>2</sup> working in connection with the Reformatory and Refuge Union, is engaged in rescuing destitute and neglected children by placing them in suitable town or country homes under the care of respectable people. To supervise the progress of boys and girls thus placed out by the aid of such societies as above named, the services of a number of voluntary workers are enlisted to make periodical visits, and report to the society upon the welfare of its charges.

The foregoing are but a very few of the numerous organisations which concern themselves with child welfare, and practically all their work is performed voluntarily and without pay.<sup>3</sup> It is one of the most hopeful auguries of the future of our nation that so many workers can be found whose sole reward is the consciousness that they are labouring in the cause of humanity. You will thus find, when you leave school, a boundless field of social service and plenty of scope for any desire you may feel to play the part of a good citizen. Make it your duty to discover the names of all the voluntary and charitable organisations operating in your neighbourhood,

<sup>1</sup> Denison House, Vauxhall Bridge Road, London, S.W.

<sup>2</sup> 117, Victoria Street, London, S.W.

<sup>3</sup> Under the Education Act, 1921, a Local Education Authority may now maintain or aid play centres, school camps, and other facilities for social and physical training. Some workers are therefore now paid, though the majority give their services voluntarily, as the grants of money made for the above purposes are only small.

and whether there is among them any scope for such services as you can offer. Remember that workers are wanted quite as much and often even more than money. Don't stand aside, therefore, because your purse is empty.

[We ought not to close this long chapter without some reference to the provision now voluntarily made by many large employers of labour for the welfare of their workpeople by the appointment of specially trained lady "supervisors," whose duty it is to get to know the young persons employed in the "works" and watch over their health and general welfare, and to render "first aid" in case of wounds or accidents.

For the after purpose a room is specially set apart and equipped with all necessary appliances. A cut or slight wound promptly cleansed and "dressed" saves much subsequent trouble and loss of time to the worker.

The influence of a clever and tactful Welfare Supervisor extends beyond the factory walls and the young workers often find in her a true friend whose advice is sought in many a domestic difficulty. Provided also in many "works" is a specially built "canteen," where meals are served at cost price and where rest-rooms, reading-rooms, and occasionally classrooms (in which cookery, sewing, etc., are taught) offer facilities during the "dinner hour" for both recreation and useful instruction.]

### THE POOR LAW CHILD

A parent ought, of course, to lodge, clothe, feed, cleanse, protect and educate his child, and he can be prosecuted if he fails to fulfil these duties. But some parents are devoid not only of means, but also of that natural affection which even the dumb animals show towards their offspring; and in the case of forsaken children, as also of destitute orphans, the State has to exercise the parental function. Such children come under the Poor Law, and unless some charitable organisation takes them up (like those instituted by the late Dr. Barnardo at Stepney, or by the late Mr. Müller at Bristol, or the National Children's Home and Orphanage, City Road, London, founded in 1869 by the late Rev. Dr. Stephenson, which are all non-sectarian; or the Church of England Waifs and Strays Society) there is nothing else for the poor little ones but to come under the care of the Guardians. You have learnt how the Guardians of a past day drafted waggon-loads of these desolate creatures away to the factories and

mines. You will now hear with pleasure how different is the treatment of the workhouse child of to-day.

If you know Charles Dickens's novel, "Oliver Twist," you will recall the miserable conditions of the young inmates of the workhouses of his time. Let us compare that dismal picture with the methods of our own century in dealing with children who, through no fault of their own, find themselves cast upon the charity of the State. Having undertaken the maintenance of a child the Guardians can discharge their duties in various ways. They can board him out with a family if an orphan, or place him in a voluntary home, or in special cases where the parents are immoral or grossly neglectful, the Guardians may assume the rights of the parents and "adopt" the child<sup>1</sup> and exercise all parental powers up to the age of 18. They can also send a girl to a training home for domestic service, or a boy to a training ship, or apprentice him (if over 12) to a trade, etc., or (with his own consent) emigrate him to Canada. The children who are boarded out may be sent to "Cottage Homes," such as those at Sidcup in Kent, established by the Greenwich Union. There, dotted over a large park, are homes for these children of the State, each presided over by an experienced "foster mother." Trades are taught in admirably equipped workshops, whilst a gymnasium, a swimming bath, and other forms of recreation provide wholesome amusement for leisure hours. In no way are the boys and girls made to feel that they are inferior beings.<sup>2</sup> On the contrary, opportunity is provided for a start in life on a par with that of the average working-class member of the community. For example, all of them attend the public elementary school of their neighbourhood just like other children, and the reproach of pauperism is not allowed to darken their young lives. In every way possible the child is afforded the happiness of home life instead of the cold misery of an "institution." The former barrack-like workhouse schools where hundreds of these waifs were boarded and taught together, and stamped with the hated name of pauper, have quite fallen into disuse under the more

<sup>1</sup> Under the Poor Law Act, 1899.

<sup>2</sup> As an instance in point, one may note that a cricket match was played at Banstead on October 4, 1913, between an eleven from St. Paul's School, and a team composed of boys drawn from Poor Law Schools round London. A feature of the play was the fine wicket-keeping of one of the Poor Law boys.

humane legislation of the present day. To the 20th-century Poor Law child, the history of "Oliver Twist" must appear like a monstrous creation of the novelist's fancy. Little does such a child suspect how much he owes for his happier lot to the descriptive genius of Charles Dickens, whose burning love for humanity was only equalled by his unrivalled power of touching the hearts of his readers with the sorrows of the poor.

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Find whether in your town or district there is an officer of (1) the National Society for the Prevention of Cruelty to Children; (2) the National Society for the Prevention of Cruelty to Animals.
2. Have you a Juvenile Advisory Committee or Juvenile Employment Committee in your neighbourhood, or any society for assisting young people to find suitable employment?
3. Make a list of Charitable and Philanthropic Societies in your district, and the object and aim of each.
4. Name some of the trades in your locality that are scheduled as dangerous to health.
5. Are there any Cottage Homes, or Scattered Homes for poor law children near you; or a Poor Law School?
6. What was the "useful trade" to which Oliver Twist was set in the workhouse? (See Chap. II. of the novel.)
7. Have you in your town or district a Health Service for the children including School Clinics, Health Visitors, School Nurses, and "Baby Clinics"?
8. What do you know of the Industrial Welfare Society of which H.R.H. Prince Albert is President?

## CHAPTER XV

### *THE STATE AND THE CHILD (Continued)*

#### THE JUVENILE OFFENDER

THERE is an old Latin phrase—*Facilis descensus Averni*—saying how simple it is to take the downward path. Each of us well knows how easy it is to do wrong; for there is only one right way and there are so many wrong ones.

Let us, therefore, in this chapter consider the treatment the State metes out to children who have taken some downward step that has brought them into the hands of the police. But before we examine the modern way of dealing with young offenders, we will—as we did in the case of the child-workers—turn back the pages of history and see what attitude the State formerly adopted towards the children who had fallen within the clutches of the law. A comparison of present-day methods with those of the century just past will help us better to understand the practice of to-day, when the nation is striving to reclaim and reform rather than to avenge itself upon ill-doers. We have at length recognised in our laws the fact that many young offenders have no chance of growing into good citizens. They may have been born and reared amidst vicious surroundings, and to punish them for the sins of others is neither just nor wise. The idea of trying to reclaim the beginner in crime, and restore him to an honest and useful life, is a development of quite recent legislation, as you will quickly see if we look back upon the early days of the 19th century.

#### THE BAD OLD TIMES

In the Library of the Inner Temple in London there are several shelves filled with the records of the criminal trials at the Old Bailey—now called the Central Criminal Court. It is

a heartrending task to peruse these " Sessions Papers " of long ago, for they exhibit what we have termed the frightful severity of the English Criminal Code of former days, towards young and old alike of both sexes.

We will dip into these rarely-opened volumes. Let us take down this one dated 1813. What a fearful record we find there of legalised butchery ! Here straightway in January of that year we find John Champlain, aged 17, sentenced to death for stealing 16 yards of carpet. It appears, however, that as his character had up to then been uniformly good, his sentence was commuted to one of " transportation for seven years " ! What that meant we shall see by and by. Some men preferred death to the miseries of transportation. Turn over a few pages. Everywhere the reports seem to end with that dread word *DEATH*. And yet the offences generally were trifling thefts or assaults, or matters which to-day would be dealt with summarily in a police court by the Magistrates, and for which a small fine or a birching, or committal to a reformatory or industrial school would be the utmost penalty. Indeed, most of the offences would be dealt with under the Probation of Offenders Act (see p. 186), and the young culprit would be discharged, and told that so long as his conduct was satisfactory he would not be called up for sentence.

But it was not so in the early 19th century. See how severely the boys and girls of that day were treated ! For instance, on 17th February, 1813, William Collins, aged 15, for stealing a pocket book and pencil, was transported for seven years ! On the same day Eleanor Condon, aged 14, a young domestic servant, was sentenced to death for stealing some money of her master's from a drawer which was left open, though, on account of her age, she was recommended to mercy. In November of the same year, Mary Ruby—only 15—stole six yards of ribbon ! And for this petty theft she was ordered to be transported for seven years ! We know nothing further of her melancholy fate, but that her life was broken and ruined at its outset by the cruel and insensate laws of her time is certain.

[Charles Dickens, who in such matters can be trusted as an authority, puts into the mouth of Mr. Jaggers in Chap. 51 of " Great Expectations " that " he often saw children tried at a criminal bar, where they were held up to be seen." ]

## TRANSPORTATION

And what was this "transportation" that was awarded so readily for every imaginable offence? It meant penal servitude in a distant, unpeopled, semi-tropical colony, to which the unhappy prisoners were conveyed in convict ships or "hulks," floating prisons, where, confined in dark cells and chained to the floor, they died like flies. The survivors, after a voyage lasting months—sometimes as much as 9 months when the destination was Australia—men, women and children were set to hard labour under the most brutalising conditions. Sometimes they were licensed out—to all intents and purposes *sold*—to planters and others who wanted cheap labourers. Escape was punished by death. Such was the lot of those who were "fortunate" enough to escape the gallows.

It would be easy to fill this book with many worse cases than the foregoing which have just been taken at random from the pages of the above-named volume of Sessions Papers.

## SLOW IMPROVEMENT

Put the book away, and come nearer to our own days. Surely in 1837, the year in which Queen Victoria came to the throne, the law must have become less brutal than in 1813! Not yet—but improvement was near at hand. Open the volume for 1837. Here is the very first case tried at the Old Bailey in that year. George Doyle, aged 16, indicted for breaking into a dwelling house at night. He stole nothing: nevertheless, this lad of 16 was condemned to death after a trial lasting a very few minutes, and he was duly hanged! The next case is that of a young man aged 19 indicted of stealing a purse containing £1 8s. 6d. Again the sentence was death, and it was, of course, carried out. Turn over a few score pages. What is this? Michael Roach, aged 13, transported for seven years for stealing a pair of boots worth 4s. 6d.! Pass on quickly. Turn over hundreds of pages—August, 1837, Queen Victoria is now on the throne. Still the same cruel story. Robert Reynolds, aged 14, transported for seven years for stealing a pocket handkerchief, value 3s.!

Put the volume away. Enough has been quoted from these ghastly records to show you how the State treated youthful offenders in the days of your grandfathers. You must

picture for yourself the measures dealt out to adult criminals. Death was the penalty for some 220 offences. Girls in their teens shared equally with the other sex in the awful punishments inflicted by the law. And yet crime flourished ! We have had slowly to learn that crime is largely the product of ignorance and injustice, and that in proportion as the social conditions of the poor are improved, and their education cared for, so do the gallows and gaols become unnecessary.

In 1831 there were 1601 people sentenced to death in our country, though they were not all hanged. In 1835 there were only 523.<sup>1</sup> What happened between these years ? If you look back at the last chapter you will see that remedial legislation for factory workers dates from 1833. The fall in the criminal figures is not a mere coincidence. Each improvement in the lot of the labouring classes, and each step in the direction of greater humanity in the treatment of the criminal has been attended by a diminution of the amount of crime.

About 1838 a more merciful spirit began to prevail, the laws were altered, and people were no longer condemned to death for trivial offences. The public conscience grew more sensitive. In 1860 transportation was abolished, in 1868 public executions were prohibited, and in 1872 the stocks were used for the last time. Capital punishment is now practically restricted to the crime of murder, although there are one or two other offences still known to the law (*e.g.* high treason) for which the death penalty may be awarded.

[Mr. J. F. X. O'Brien was sentenced to be hanged, drawn, and quartered, for taking part in the Fenian conspiracy of 1867 ; but the sentence was commuted to a term of penal servitude, after serving which he became a Member of Parliament. He was the last person on whom any judge pronounced this barbarous sentence, the law being altered in 1870. Mr. O'Brien died in 1905.]

You should acquaint yourself with the work of the great reformers of the 19th century, such as Sir Samuel Romilly, Sir James Mackintosh, and others, through whose humanitarian labours the old barbaric criminal code was swept away. You should read too of John Howard, and of Elizabeth Fry, and her friends the Gurneys and Buxtons, and of their campaign against the narrow, underground, foul dens which served for prisons, in which hundreds of hapless folk—tried and untried,

<sup>1</sup> To-day about 20-30 annually.

young and old—were huddled together in chains; and how, through their persistent efforts, those vile hotbeds of crime, vice, and disease were abolished for ever. The story is too long to tell here, but you will find it in Dr. Traill's "Social England," in Sir Spencer Walpole's "History of England," and in numerous other works dealing with various phases of the social transformations of the Victorian Era. Few of the above-named workers for the good of humanity lived to see any appreciable result of their labours. But they sowed the seed which afterwards ripened into the legislative enactments that the 20th century now enjoys.

### THE NEW ERA

At the outset let us state that by the Children Act of 1908 (see p. 173), capital punishment and penal servitude can no longer be awarded to young people under 16, nor any form of imprisonment to those under 14. How that would delight the heart of Sir Samuel Romilly could he return to earth again! "But what," he might ask, "have you substituted for the old-time punishments?" The answer would be something like this—"We have established a national system of schools where our children have a moral and physical training such as they never before enjoyed in the history of our country; we have endeavoured by labour legislation to make their life brighter and more comfortable, so that there is less inducement to rebel against the law; we are studying how to stop crime at its source; we are beginning to regard the parents or guardians as being more at fault than the child in a large number of cases that come before the Courts, and we are making it more difficult for them to shirk their parental responsibilities; we have set up Children's Courts, whose object is not so much to punish the juvenile offender as to bring him back by watchful care to the path of rectitude; we have passed Acts which allow the Judge to send a first offender away without punishment, on his promise to amend his conduct; we have established Industrial Schools for boys and girls who are *likely* to become young criminals if they are not promptly removed from the surroundings in which they are living; we have substituted the school for the gaol in our Reformatories; we have established 'Borstal Institutions' for young men and women between 16 and 21, who would otherwise be sent to penal servitude, but who, we believe, are still capable of being reclaimed;

in addition to all these things provided by the law, we have founded a vast number of voluntary societies—some of which are named in the last chapter—for helping young persons into the right course at the most critical moment in their lives. By such enlightened means as these we are trying to prevent the flow of recruits into the criminal classes, and to restore to a decent life those who have not gone too far along the downward path."

Let us examine in a little fuller detail some of these various agencies for checking the growth of crime in its early stages, and first of all inspect the work of the

#### CHILDREN'S COURTS

The Children Act provides that children shall not be permitted either before trial or afterwards to be associated with old or hardened criminals. The young folks must not even be brought into the Court until the adult cases have been disposed of, and no spectators or any other people except the parents and those immediately concerned, are allowed to be present at their trial. The Act provides also for a separate Court House to be used if necessary, but at present it is usual for the ordinary Court of Petty Sessions to be turned into a Children's Court as soon as the older prisoners have been dealt with and removed.<sup>1</sup> In its methods of procedure the general principle is to place the children under kindly supervision, and among good influences, so that they may learn the value of upright conduct in bringing about their own happiness as well as that of the community in which they live. This good purpose is assisted by the Summary Jurisdiction Act of 1879,<sup>2</sup> which gives the alternative of paying a fine instead of going to prison ; and by the laws for first offenders,<sup>3</sup> which save all those whose first lapse is not of the most desperate nature from acquaintance with prison life ; also by a later and praiseworthy piece of remedial legislation effected in 1907,<sup>4</sup> whereby special Probation Officers —preferably women—are appointed to look after young people who have been found guilty of an offence which in former days

<sup>1</sup> By the Juvenile Courts (Metropolis) Act, 1920, the Courts are to be held elsewhere than at the Metropolitan Police Courts. Two J.P.'s, one a woman, now sit with the Magistrate.

<sup>2</sup> 42 & 43 Vict. c. 49.

<sup>3</sup> 50 & 51 Vict. c. 25 ; 1 Ed. VII. c. 20.

<sup>4</sup> Probation of Offenders Act, 7 Ed. VII. c. 17.

would have landed them in prison, but who have been permitted conditional release upon "entering into recognisances" to be of good behaviour. The Children's Probation Officers advise and assist the parents in the management and supervision of the young delinquents, and report to the Court as to their behaviour. By means such as these, it is attempted to save boy and girl offenders from the serious disgrace of having been sent to a reformatory. A child put on probation has attaching to it *no stigma* of conviction.

Imprisonment is rarely helpful in the reformation of character. Instead of being "moral hospitals," prisons are too often "criminal manufactories." To send a youth under 20 to gaol for some trifling offence is still common in this country, though public opinion is gradually setting against this practice. Imprisonment should be the last resort of the State and not the first. But as the law stands at present, a person over 14 is regarded as an adult in very many respects, and punished as such. Thus if charged with some petty offence (*e.g.* the breach of a bye-law), he is ordered to pay a fine or in the alternative to go to prison for a term of days or weeks. Very usually the young fellow is unable to pay the money, and, therefore, must go to gaol. This is nothing less than disastrous, and lays the law open to the charge of manufacturing criminals. Had the youth been liberated on bail, and permitted to clear off the fine by instalments,<sup>1</sup> he would probably never have troubled the courts again. But having once been dubbed a "criminal" and "gaol-bird," he finds himself looked upon askance by society, and all too easily falls into bad company, and ultimately sinks into the ranks of the habitual offenders.

#### INDUSTRIAL SCHOOLS AND REFORMATORIES

The germ of the modern Industrial School is to be sought for in the Ragged Schools (see p. 134) intended to save destitute children from vagrancy and crime. The earliest industrial schools were, as a matter of fact, charitable institutions for the purpose of training and educating poor orphan children who had not necessarily infringed the criminal law. The present Industrial Schools—of which there are about 100 in England and Wales—date from 1866,<sup>2</sup> and provide a much

<sup>1</sup> This is now provided for in the Criminal Justice Administration Act, 1914, which makes it obligatory to allow time for payment of fines.

<sup>2</sup> 29 & 30 Vict. c. 118.

needed haven of refuge for children removed by order of the magistrates from bad homes or depraved surroundings, whilst at the same time they afford an excellent industrial training, and with it a prospect of leading an honest useful life in after years.

First offenders—where the offence is not very grave—are frequently committed to the Industrial Schools, but the worst of the juvenile delinquents, such as would (if they had been older) have been sentenced to penal servitude, are sent to Reformatory Schools, which are and always have been, since they came under the law in 1854,<sup>1</sup> penal as well as educational establishments.

Now that Local Authorities have power to establish and aid reformatories as well as industrial schools there is some danger of losing sight of the distinction between the two. Committal to an industrial school is intended to rescue unfortunate children, whereas detention in a reformatory (of which there are between 40 and 50 in England and Wales) forms a definite part of our system of correction for young criminals under 16. In both Industrial Schools and Reformatories, however, the training is such as to equip the children for useful occupations. On leaving, the boys often join the army, whilst the girls take very largely to domestic service. Some of the industrial schools for boys are training-ships, and here, of course, the instruction is intended to train the lads to become sailors. There is a movement at present to emigrate many of both sexes to Canada, where, in a new land, removed entirely from the old associations, and under the kindly care of various philanthropic organisations, the young people may make a fresh start with every prospect of a successful career. It is satisfactory to learn that by far the greater proportion of the children leaving the Industrial Schools and Reformatories pursue an honest life of work. Social workers can render material assistance in consolidating this reformation in character by taking a friendly interest in boys and girls released from these schools.

[During the Great War the boys from Industrial Schools and Reformatories showed a splendid record of war service. Over 30,000 such old boys were known to be in His Majesty's forces, 32 of whom were "mentioned in dispatches ; " 4 the V.C. ; 69 the D.C.M. ; 19 received

<sup>1</sup> 17 & 18 Vict. c. 86.

commissions, whilst others were awarded decorations of many kinds.  
[Extracted from the Annual Report of the Chief Inspector of Reformatory and Industrial Schools for 1916.]

### BORSTAL INSTITUTIONS

Though the law-breakers of whom we are now about to speak are not exactly "juvenile offenders," yet they touch so closely upon this class that they have been given by the police the name of "juvenile-adults." You will remember that the Industrial Schools and Reformatories are only for persons entering under the age of 16; and although the law regards a person of 16 as old enough to have reached years of discretion, and to be therefore punishable in the same way as those of more mature years, there has arisen of late a feeling that it is worth while making a strong endeavour to reclaim the juvenile-adult criminal, that is, the person between the age of 16 and 21. In 1895 a Committee on Prisons reported that "under the present system numbers of young prisoners came out of prison in a condition as bad or worse than that in which they came in." To amend this state of things an admirable voluntary association began (with the co-operation of the prison authorities) in 1902, to collect at Borstal Prison, near Rochester, those juvenile-adults who, it was believed, would prove amenable to remedial measures. Instead of the ordinary gaol discipline, the convicts were put to work in the fields, where they were taught market-gardening, flower culture, building, etc. Indoors they had lessons, and learnt carpentry, plumbing, blacksmith's and tinsmith's work, cookery, bakery, shoemaking, etc. They were spared also the ignominy of convict dress, and of association with the older criminals. They were, whilst well behaved, permitted the use of library books, allowed visits from friends, and other privileges. Remarkable success attended the experiment, and the methods advocated by this noble society have now received the sanction of the law. In 1908 the Legislature passed the Prevention of Crime Act,<sup>1</sup> which gives the Court power to pass a sentence of detention in a Borstal Institution, of from one to three years. There are at present four Borstal Institutions in England, three for boys, and one at Aylesbury for girls.

When the time for discharge approaches, the Borstal

<sup>1</sup> 8 Ed. VII. c. 59.

Association takes in hand the youth or girl and tries to secure work for them, and give them a fresh start in life by putting their feet in the right way to earn an honest livelihood. No greater service of citizenship can be suggested than preventive work of this character.

#### DECREASE OF CRIME

And what now—it may be asked—has been the result of this war against crime? Has compulsory education helped at all in this direction? Has the greater leniency of the law been attended with a diminution in the number of criminals? Have the self-denying, zealous, and persistent efforts of the numerous voluntary societies charging themselves with the care of young people been rewarded with any measure of success? Is our England of to-day better for these labours of love?

The answer to each of these questions must be an emphatic “Yes.”<sup>1</sup> Not only has the percentage diminished, but the total volume of crime is less than it was at the passing of the Elementary Education Act of 1870, even though the population of the Kingdom has increased in the meantime by over 40 %. In 1870 when, as you have learnt, the national system of education was inaugurated, there were in England and Wales over 100 prisons, all full; there are now about 60 half-empty! You may perhaps be aware, if you live in London, that a vast prison occupied—not so very many years ago—the site of the Tate Gallery on the Embankment, whilst yet another huge prison—the famous Clerkenwell Gaol—has given place in recent years to blocks of offices and workmen’s dwellings. Upon the day that these lines were penned the author’s eye was caught by the following lines in the *Times* of that date:—“In his address to the Grand Jury at the opening of the Sessions, the Chairman said it was a matter of great gratification to all interested in the welfare and the prosperity of the County (of London), that during the last three or four years, the number of indictable offences had decreased by nearly 20 per cent.”<sup>2</sup>

<sup>1</sup> On November 27, 1922, the *Times* stated that for the year ended March, 1922, 1188 children were charged [in the County of London] under the Children Act whilst the number in the previous year was 1630. Nine Industrial Schools and five Reformatory Schools were also closed.

<sup>2</sup> This was written in 1913. It is satisfactory to note that the

A century has passed since Sir Samuel Romilly's first warning was uttered in Parliament against the making of criminals by the action of a too harsh law. His was indeed a voice crying in the wilderness. His appeals fell on deaf ears, and he died saddened and discouraged by years of unavailing effort. But his labour was not in vain, as we now recognise.

Let every social worker, therefore, who is inclined to fret at the apparent inefficacy of his self-imposed toil, draw fresh courage from Romilly's life and mission. Sooner or later, here or hereafter, as the prophet said of old, "he shall see of the travail of his soul and shall be satisfied."

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. What ought the attitude of an employer to be towards a boy or girl of 16 who, having been in (a) an Industrial School; (b) a Reformatory; (c) Prison for a trivial offence, applies to him for employment?
2. Are there any Industrial Schools in your district where children attend during the day-time only? If so, what class of offenders are sent to such schools, and how far is the system found satisfactory?
3. In the United States they have established a "George Junior Republic," to which young offenders are sent. Upon what principles is it conducted? Have we anything like it in this country? If so, where?
4. If capital punishment were to be abolished here as it is in Switzerland and Italy, what would you substitute in its place?
5. How would you deal with (1) the habitual tramp; (2) the incorrigible idler?
6. Some offenders are no sooner released from prison than they resume criminal practices. In this connection discuss the proposition, "Train the young and retain the old criminal."
7. Discuss the social problem arising from the fact that the children and young persons committed to Industrial Schools, Reformatories or Borstal Institutions, receive a better training for after life than the majority of poor children.

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Commissioners of Prisons reported in 1922, that "the number of receptions on conviction, both absolutely and relatively to population, was still much lower than it was for the five years ended 1913-14, both with regard to convictions on indictment and summary convictions."

## CHAPTER XVI

### *MASTERS AND MEN*

#### TRADE UNIONS

To give you in a short chapter any adequate picture of the "labour movement" is quite impossible. The most we can do is to pave the way for your own inquiries when you come face to face in later years with the most difficult problem of our civic life ; viz., the relationship of Employers to Employed or, as is often said, of Capital to Labour. Some main principles, however, you can easily grasp.

In the first place, you will readily understand that a poor man's capital consists of his strength and skill, and unless he can find some work upon which he can exercise his strength and skill in return for wages, he must starve. In his anxiety to obtain work he is afraid to haggle with an employer over the matter of wages, for fear he may lose the job altogether. Consequently, so long as workmen act singly, they are at a disadvantage in bargaining about wages and hours of work.

At a very early stage in our industrial history, working men saw that their only chance of raising their wages and of shortening the hours of labour was to combine together and act in unison. The mere instinct of self-preservation impelled them to some form of "collective bargaining." But this soon brought them into collision with the law, for severe restrictions had been placed by Parliament upon combinations among labourers for such purposes as raising the rate of their pay. From the reign of Edward I. to George IV. some 30-40 Acts of Parliament were passed, designed to prevent what we nowadays term the "organisation of labour." Combinations of workmen were not merely forbidden ; they were held to be criminal. They were regarded as contrary to public policy, as being in restraint of trade, and the participants in such

combinations were treated as malefactors and prosecuted for conspiracy ! Trade Unions were, indeed, established secretly, but they were always liable to be broken up by the rude hand of the law. In 1800 a very drastic measure <sup>1</sup> was directed against such organisations, and when introduced was commented upon in the *Times* newspaper of 7th January, 1800, in these words : “ One of the first Acts of Imperial Parliament will be for the prevention of conspiracies among journeymen tradesmen to raise their wages. All benefit clubs and societies are to be immediately prohibited.”

Under this Act, all persons were forbidden to combine with others to advance their wages or decrease the quantity of their work, on pain of being brought before a Justice of the Peace (one J.P. was enough), and sentenced to three months’ imprisonment. And you have read in the last chapter what the prisons were like in those days ! Such treatment filled the working classes with discontent, which manifested itself in riots and acts of violence, as well as in strikes which failed miserably for lack of funds. Though imprisonment and transportation were vigorously applied, the working men never ceased to protest against the conditions imposed upon them by the State and by their employers, until at length, in 1824, a law was passed,<sup>2</sup> allowing workmen to combine under the same conditions as other people. Although trade unions were now permitted to exist, they were hedged about with innumerable restrictions. The Legislature was still haunted with the idea of conspiracy, and only out of fear of riot and rebellion went so far as to sanction the meeting of workmen to discuss questions affecting their wages, etc. They might enter into any agreement with their employer for fixing wages and hours, but if they began to make regulations about piecework, or the number of apprentices, they at once again became conspirators.

You will see from the following incident how dangerous it was for workpeople to exceed the very limited privileges afforded to them by the law. In 1834 it occurred to some people that an organisation similar to a Trade Union might be extended with advantage to agricultural labourers whose wages were pitifully small—7s. to 8s. a week. Dorsetshire was a purely agricultural county, and there a union was formed which in no way broke the combination laws. It came to the ears of the authorities, however, that the men had bound

<sup>1</sup> 40 Geo. III. c. 106.

<sup>2</sup> 4 Geo. IV. c. 95.

themselves together with an oath to be faithful to each other. That was enough. There existed an old law making it an offence to administer illegal oaths. The statute had been rarely enforced; practically it had been disregarded by every trade union in the kingdom. But just at this moment public opinion was roused against the unions. So the rusty old statute<sup>1</sup> was resuscitated to punish the men who had formed the first agricultural union. Six wretched labourers, wholly ignorant of the law, were tried at Dorchester for administering illegal oaths, and were sentenced to be transported for 7 years. A storm of indignation swept over the country. Some 20,000 to 30,000 workers assembled in London on 21st April, 1834, and marched on Whitehall. There was no bloodshed, but the Government felt compelled to release the men. Communication was slow in those days, and it took two years before the convicts—now exalted almost into the position of national heroes—were granted a free pardon and allowed to return home.

The position of trade unions in the eye of the law continued very unsatisfactory for another generation. Though not actually prohibited by statute their position was not legally acknowledged. Their members were often prosecuted for, and convicted of, conspiracy. Still they grew and multiplied, although Act after Act was passed to regulate their proceedings. Not until 1875, when two famous laws were placed on the statute book,<sup>2</sup> did trade unionists feel themselves safe from the charge of conspiracy. By one of these Acts, which has been dubbed the “charter of trade unions,” the proceedings in trade disputes were henceforth to be of a civil and not of a criminal nature. Trade unions were no longer to be deemed illegal associations, nor might workmen be prosecuted for combining to strike unless the means they used were unlawful. Unions were allowed to hold property, and could sue to recover that property if it was stolen or kept unlawfully from them. Thus after centuries of struggle, the right of combination for the protection or advancement of their interests, and a legal recognition of their trade unions, were secured to workmen. But this is not all.

In 1906 a measure called the Trade Disputes Act,<sup>3</sup> put Trade Unions in an exceptionally privileged position. For no “tortious” act done illegally during a trade dispute can a Union

<sup>1</sup> 37 Geo. III. c. 123.

<sup>2</sup> 38 & 39 Vict. c. 86 and 90.

<sup>3</sup> 6 Ed. VII. c. 47.

now be made responsible. Only the several individuals who do the illegal acts can be made liable. Though the Union may advise and encourage its members to break the law, it cannot be reached by the law. That is a position which many people deem unduly privileged.

### THE AIM OF THE UNIONS

A very great many trade unions, some of them exceedingly rich and powerful, have now been formed in this country. The broad objects of these unions may be briefly summarised as follows :—to increase the wages of their members ; to shorten hours down to 8 hours a day for every trade (this has been effected in the case of underground workers<sup>1</sup>) ; to secure a minimum living wage to everybody ; to limit overtime ; to restrict the number of apprentices ; to regulate, and even in some trades to abolish piecework ; to demarcate the classes of work to be performed by each trade ; and to force trade-unionism upon all workpeople by refusing to work alongside of non-unionists.<sup>2</sup> To achieve these ends they have united their forces and succeeded in sending a considerable number of their representatives into Parliament. You may or may not approve of all these objects. It is not our place here, however, to criticise the aims or actions of the trade unions, but simply to learn what sort of bodies they are, and what they are striving to attain. This much is certain, however, that “ collective bargaining ” is now too firmly established ever to be displaced.

The above-named objects for which the Unions are working involve a considerable expenditure of money. We find, therefore, that trade unions make a “ levy ” upon all their members —of perhaps 6d. or even 1s. a week—whilst during disputes, when large sums are being paid out, the levy may be considerably higher. The contributions of the members are not, however, solely used for militant purposes. Though the main object of the funds is undoubtedly to support members when engaged in disputes, some of the unions also provide “ unemployed benefit ” for members who are temporarily out of work. Most of the more firmly established unions further add to these functions those of a “ friendly society ” ; that is, they provide

<sup>1</sup> At present 7 hours in the case of coal miners.

<sup>2</sup> To these aims certain trade unions now add the “ nationalisation ” of mines and railways.

sick, accident, superannuation, and funeral benefits. But as the "fighting funds" of a trade union are not kept apart from those intended for provident benefits, a prolonged strike or depression of trade may make it impossible for the union to meet its engagements as regards sickness or superannuation. We shall find, however, that by recent legislation employers are now compelled to compensate workmen for accidents occurring in the course of their employment, and that the State has taken on to its shoulders the duty of providing old age pensions ; also that by the National Insurance Act which came into force on 15th July, 1912, the State, in conjunction with the employer and the workman himself, has secured sick-pay, medical attendance, and other benefits for the worker during illness, whilst in some trades it also supports him during a period of unemployment. Furthermore, as Members of Parliament have since 1911 been paid a salary of £400 a year, the unions no longer have to bear the cost of maintaining their parliamentary representatives.

Thus the Trade Unions, having been largely relieved of many of their former burdens, are able to accumulate larger funds for fighting purposes.

#### "INDUSTRIAL WARFARE"

And now, if you have carefully read the preceding portion of this chapter, you will have realised that between masters and men there are plentiful opportunities for a conflict of interests. If the differences between employers and employed cannot be settled by friendly negotiation, either the men go out on strike, or the masters refuse to employ them any longer and lock them out. A strike or a "lock-out" is the last resort of either party, and until one or the other tires of the struggle and gives way, business comes to a standstill, wages cease, and the whole community begins to suffer. Formerly strikes were local in character (possibly between one single employer and his men), and in that case they affected only a small area ; but of late years the "collective strike" and the "sympathetic strike" have come into existence. In these cases a whole trade or a series of trades takes up the quarrel of a single person, and in this manner we have seen the vast cotton industry paralysed because one employer declined to submit to the requirements of a trade union.

Combinations of workmen have led to counter-combinations of employers, and the "collective lock-out" is the weapon with which the latter propose to retaliate against the collective strike. Up to the present the collective "lock-out" has not been applied in this country to any large extent, but in Germany, where the employers have federated themselves much more closely than in the United Kingdom, the collective lock-out is used rigorously whenever the masters consider that the men have struck unreasonably. The collective strike and the collective lock-out are—as you will readily believe—disastrous to the whole nation, and it may be safely said that one of the most pressing problems of modern citizenship is to discover some less ruinous means of adjusting the relations between Capital and Labour. Capital requires Labour, and Labour is dependent on Capital. Each is essential to the other, and Brains (by which we mean, trained ability, inventiveness, organising talent, knowledge of men, markets, materials, finance, foreign languages, manufacturing and trade methods, etc.) are essential to both. Modern Industry demands all three factors.

Strikes and lock-outs are wasteful, destructive, and leave behind them much rancour and bad blood. Moreover, they inflict untold hardship upon other people—especially upon women and children—quite outside the scope of the dispute. Every means of reconciliation between the parties should therefore be tried before resorting to these violent and disruptive methods.

[Of late years we have witnessed strikes based upon political issues. Unable to persuade the majority in Parliament to legislate in accordance with their demands (*e.g.* nationalisation of the mines, etc.) some labour leaders have urged "direct action," meaning thereby a "general strike" of all trades, designed to paralyse the life of the country and drive the nation into accepting their policy. The British people are, however, a stubborn race and have shown no sympathy with these forceful methods of persuasion. They rightly feel that political ends must be reached by constitutional means, that is, by persuading the electorate of the justice of, and need for, the changes advocated.

The "lightning strike" is yet another modern development and relies for its success upon a sudden cessation of work without giving previous notice. This involves a breach of contract, inasmuch as employment can only be lawfully terminated by proper notice. Methods thus based on perfidy may for the moment succeed, but can never win the approval of the community.]

## CONCILIATION AND ARBITRATION

We will now briefly examine what machinery the State provides for bringing the disputing parties together. In 1896 a Conciliation Act<sup>1</sup> was passed, empowering the Board of Trade to take steps to promote a settlement in cases where a difference exists between employers and employed. They may appoint a Conciliator or a Board of Arbitration who shall endeavour to bring the disputing parties to a settlement. If both the disputants desire arbitration the Board of Trade will appoint an impartial and independent arbitrator. This Act has, however, not been as effective as might be wished.

[Yet another legislative effort to promote arbitration in trade disputes (chiefly on wages) is to be found in the Industrial Courts Act, 1919,<sup>2</sup> which provides an "Industrial Court" or tribunal whose aid must first be invoked by both the disputing parties, after all other efforts to settle the dispute have failed. The Court is composed of independent persons of high reputation together with representatives of the employers and of the workers; and having on it also one or more women. Some very distinguished public man, usually a Judge or other eminent person known for his high character and complete impartiality, is selected as Chairman. The proceedings are judicial in character and barristers may be employed to plead the case of each side. Though the Court has not as yet been invoked very frequently, its decisions in the cases where it has been called into action have been received with respect and approval by the public. But these decisions are not legally binding, and in one case, at least, a trade union refused to abide by an award which was not in its favour, although this union had agreed to submit the dispute to the arbitration of the Court.]

Most trade disputes are in fact usually settled between powerful Boards of employers and employed, who conclude agreements setting forth the conditions under which masters and men purpose to work together for the future. But as these agreements have no binding force at law they are often broken. It has been suggested by many people that arbitration should be made compulsory in this country. In the interest of the whole nation it is urged that strikes should be made unlawful and prohibited, and that the questions in dispute should be referred to an independent tribunal, by whose award each party should be bound. But British trade unionists have so far declined to give up the "right to strike," and there is

<sup>1</sup> 59 & 60 Vict. c. 30.

<sup>2</sup> 9 & 10 Geo. V. c. 69.

nothing in our laws as yet to prevent these industrial struggles being fought out to the bitter end.

### WHITLEY COUNCILS

[The devising of means to secure industrial peace has for many years occupied the best minds among our leading men. A noteworthy scheme was organised and put into practice during the Great War by the formation of "Whitley Councils," so called after the Chairman<sup>1</sup> of the Committee that worked out their constitution. These Councils, composed jointly of masters and men—hence termed Joint Industrial Councils—have been created in the well-founded belief that many a dispute which might lead to a strike, may be "nipped in the bud" if employers and employed meet face to face in private and thoroughly thresh out the matter at issue and try to find some way of reconciliation without resorting to the deadly "strike weapon."

The Councils that have been established are threefold in structure, comprising (a) the National Joint Industrial Council which covers the whole of the industry concerned (*e.g.* the tinplate industry); (b) the District Council; and (c) the Works Committee—the latter being composed of representatives of the employers and of the workpeople respectively, meeting together on the scene of their joint labour, *i.e.* at the "works" or factory.

A considerable number of these Councils have been established and have done a large amount of useful work in settling questions of wages, hours, training of apprentices, canteen services, health conditions in the factory, recreative and educational facilities, etc. The chief opponents of this admirable means of avoiding disputes are the extreme socialists, who are irreconcilably opposed to any co-operation between Capital and Labour, *i.e.* between employers and employed, and who desire to conduct and control an industry solely in the interests of the workpeople engaged in that industry. Thus, according to the "syndicalists," as they are often termed, the mines should be conducted by and for the miners; the railways by and for the railwaymen, etc.—a theory which leaves out of consideration the interests of the general public and of those who supply the capital and brains for the creation, management, and maintenance of the industry. A truer conception of modern industry is given earlier in the chapter, viz. that three factors must co-operate in all productive enterprise, viz., Capital, Labour, and Brain. A closer analysis of the subject will show that of these three, by far the most important is the trained inventive brain.

There is a real and urgent need among the masses of our country\*

<sup>1</sup> The Rt. Hon. J. H. Whitley, M.P., elected Speaker of the House of Commons after the General Election, November, 1922.

of plain teaching in non-technical language of the principles of economic science ; for it is abundantly clear that only by the close co-operation of the three factors above-named, can our industries possibly provide the wealth—which when equitably distributed—will enable our workers to attain to the Standard of Life to which they rightly aspire.]

### TRADE BOARDS

In some few trades—particularly in those involving home-labour—the wages are so wretchedly low that the Government has been compelled to step in, and secure to the workers a more equitable scale of remuneration. These trades are spoken of as the “sweated” industries, and comprise such occupations as paper-box making, hand-sewing for the tailoring trades, lace-finishing, and certain kinds of chain-making, in some of which the work is conducted by women in their own homes. Trade unions have not flourished among women-workers, but this is only one of the many reasons why the wages in these trades have remained so scanty.

To amend a discreditable state of affairs the Legislature in 1909 passed the Trade Boards Act,<sup>1</sup> establishing and empowering Trade Boards to fix fair rates of wages in certain trades. If the Act is found to work successfully we may expect its provisions to be extended to other occupations.

### EMPLOYERS' LIABILITY

Many occupations are attended with danger to the workers, and accidents are bound to occur from time to time. If such accidents could be proved to be due to the negligence of the employer, the injured workman was always able under the Common Law to recover compensation. But sometimes the accidents arose from circumstances quite outside the employers' control (as when a man slips and falls from a scaffold), or from the clumsiness or carelessness of some fellow workman ; and in these cases the injured person could not recover any compensation for the damage he had sustained. Little by little

<sup>1</sup> 9 Ed. VII. c. 22. This Act amended and extended by the Trade Boards Act, 1918, is now applied to a large number of imperfectly organized trades in which women's labour is often predominant, trades which seem to lie outside the scope of the Whitley Councils.

public opinion has come round to the view that when a workman is injured in the course of his employment under any circumstances, he ought to receive some measure of compensation from his employer—in other words, the employer must be made liable for injuries happening to his employees when engaged upon his work. A Statute placing this obligation upon the employer was passed in 1880,<sup>1</sup> but as this Act required the workman to prove that the injury was occasioned by the fault or negligence of the employer or of his responsible assistants, it did not cover cases of “pure accident” or accidental injury from fellow labourers. In 1906 these deficiencies were remedied by the famous Workmen’s Compensation Act<sup>2</sup> which may be regarded as the final development of the principle known as “Employers’ Liability.” By this Act an employer incurs responsibility for all accidents, as well as certain specified diseases happening to workmen engaged in the performance of his work.

As you will realise, these payments for accidents may become a heavy charge upon employers; but by the beneficent principle of mutual insurance—of which you will soon make acquaintance when you enter business life—they are enabled to bear the very considerable burdens imposed upon them by the two Acts above-named.

#### HEALTH AND UNEMPLOYMENT INSURANCE

The worker may also be incapacitated from pursuing his daily labour by other causes than accident. He may fall ill, or contract some serious disease like consumption. Until recently the law made no provision against such misfortunes, and as soon as his small savings were exhausted, the working man (or woman) had no alternative except to go into the workhouse, or rely upon the charity of others for support. By a notable Act of Parliament—the National Insurance Act of 1911,<sup>3</sup> extended by later amending Acts—provision is now made against sickness, invalidity, and disablement for all persons under the income limit of £250 per year if non-manual workers and irrespective of wages if manual workers, by compulsory insurance, towards which the State, the employer,

<sup>1</sup> 43 & 44 Vict. c. 42.

<sup>2</sup> 6 Ed. VII. c. 58.

<sup>3</sup> 1 & 2 Geo. V. c. 55.

and the workman all contribute. During sickness a cash allowance is made, and free medical attendance is also provided. In case of total disablement a small pension is paid for life.

For the reception of consumptives special "fresh-air hospitals" called *Sanatoria* are being built as required, where board, lodging, and medical treatment are provided free of cost, or at a small charge. These institutions are now managed by the County or Borough Councils, who fix the conditions and terms of admission. It is hoped by these means to help to stamp out this devastating disease which carries off tens of thousands of the population annually. Other benefits which cannot be enumerated here are also provided by these Acts. A beginning of insurance against unemployment—the chief terror of the worker—has now also been made, and is the subject of a separate scheme under other Acts<sup>1</sup> which make it compulsory in many trades.

Taken in conjunction with the Old Age Pensions Act<sup>2</sup> (which provides that any person of British nationality over 70<sup>3</sup> years of age can claim a pension of 10s. a week if his or her income is less than 10s. a week), you will recognise that the State is doing much to remove from the life of the wage-earners those crushing anxieties which accompany illness, unemployment, and lack of resources in old age. The cost to the country is enormous, but it is hoped that the increased happiness of the people, and the increased efficiency of the workers, will more than compensate for the additional burden placed by these laws upon the taxpayer.

When you remember also the extraordinary development of the Factory Acts (which have brought about as great an improvement in the lot of the adult workers as in that of the children) and the protection afforded by the Employers' Liability and Workmen's Compensation Acts, you will at least agree that during the last half-century, the State cannot be charged with neglect of the interests of the labouring classes.

<sup>1</sup> Unemployment Insurance Acts, 1920 to 1922.

<sup>2</sup> 8 Ed. VII. c. 40, as amended by 9 & 10 Geo. V. c. 102.

<sup>3</sup> Pensions for blind people begin at age 50.

## FURTHER PROBLEMS

Much still remains to be done ; and the citizens of the future will have plenty of problems upon which to exercise their best powers of thought and statesmanship. It is very well and proper to insure the worker against unemployment, but it would be far better to strike at the root of the matter and, as far as possible, prevent unemployment. The Labour Exchanges which were established in 1909 under the Labour Exchanges Act,<sup>1</sup> and which endeavour to bring worker and work together, are a step in the right direction ; but they do not solve the problem of unemployment, the causes of which lie deep and hidden in the structure of modern industrial life.

Nor is it possible to remain satisfied with conditions which permit so much poverty to exist side by side with excessive wealth. Nobody wishes to assist the incorrigible idlers or the "work-shy." They deserve their poverty. Ultimately they will have to be removed from society and put away into "labour colonies" where they will be obliged to work or starve. But, that a man should toil long and hard, at work which the community requires to be done, and yet be unable to keep himself and his family above the efficiency line, is indefensible. Some impetuous people in their haste to mend social conditions advocate a catastrophic upheaval of the whole fabric of society, and would sanction bloodshed to attain their ends.

## ANOTHER TALK ON ECONOMICS

[We said the causes of unemployment lay hidden deep in the modern industrial structure. It is worth while for older students to explore this subject, as until the cause or causes are correctly diagnosed, it is impossible to indicate the true remedy.

To diminish the amount of poverty in our country and to reduce unemployment to a minimum are by far the most urgent problems of modern English citizenship. Particularly is this so since the Great War, which depleted the national wealth, imposed on us very heavy taxation, left us with a huge national debt and decreased our trade by impoverishing many European countries which were formerly among the best customers for the products of our factories. These are obvious causes of unemployment and consequent poverty. But there are others, less obvious but possibly more potent causes than those above-named.

<sup>1</sup> 9 Ed. VII. c. 7.

Partly responsible must be accounted our educational system which has allowed boys to escape at 14 from all further instruction or training and drift into unskilled, poorly-paid, uncertain low-quality occupations. Partly also we must blame our industrial system which might be much better organised for mass-production of goods for export to countries oversea whence (in exchange for those goods) we draw our supplies of food and raw materials of industry. Partly responsible also is the lack of co-operation and organisation in our native agricultural industry. We need more intensive production as well as better marketing and distribution of home-grown food. Even in a brief survey of the causes of poverty and unemployment we cannot fail to note the excessive number of middlemen—handlers but not producers of goods—who take toll of this wealth as they pass it on from the producers to the consumers.

One is bound also to remark upon the policy of certain trade unions, which too often hampers rather than promotes industrial efficiency. Counted also among contributory causes must be the lamentable lack of economic knowledge on the part of large bodies of our manual workers, who seem to believe that by restricting output, *i.e.* by idling over their work (*ca' canny*) so as to spread it out over as long a time as possible (and thus rendering the cost of production unnecessarily high), they are benefiting themselves and their fellows. They will have to learn by experience that this policy "kills" the trade by which they live instead of promoting it.

The foregoing catalogue by no means exhausts the number of causes which combine to reduce tens of thousands of British workers to a condition of genuine distress. The serious student of social disorders would do well to examine into two other possible causes of unemployment, which, as they are highly controversial, can only be briefly indicated, leaving the reader to decide for himself, after thoughtful investigation, how far they are responsible for the evils under consideration.

(1) *The rapid growth of our population.*—In 1801, the population of the United Kingdom (*i.e.* exclusive of Ireland) was about 10 millions. In 1921 (at the last Census) it was nearly 43 millions and is increasing at the rate of over 1000 per day, for all of whom employment must ultimately be found. Up to 1846 (when the Corn Laws were repealed) the population was supported by home-grown food. Since that date we have depended, in an ever-increasing degree, upon wheat (and of late years upon meat) grown abroad. At the present time about three-fifths of our food have to be imported from countries oversea, and to pay for this food we have to export goods of equal monetary value. This food we must have or perish. There are other customers for it besides ourselves. We must therefore offer to the grower cheaper and better goods than other nations can offer. This means, that we must produce those goods *cheaply* in the works and factories of this island.

The perpetual pressure upon our employers and workpeople, compelling them to produce goods cheap enough to induce the oversea food-grower to take them in exchange for his products, is probably one of the causes of much of the distress which we deplore. This pressure can only be lightened by mutual co-operation between masters and men to produce a sufficiency of goods for export as rapidly and cheaply as possible, by the utmost use of the most modern machinery and by the aid of every economy in their transport and distribution that technical knowledge, organising ingenuity, and a study of foreign markets can suggest.

(2) *The low quality of many of our industries.*—By a low-quality (unskilled or semi-skilled) industry we mean one that produces a very small amount of wealth per worker in that industry, e.g. coal mining, pig iron, and heavy chemical manufacture, and some of the textile trades. Opposed to these are the high-quality industries employing a large proportion of skilled labour which produce a large amount of wealth per worker, e.g. the electrical and fine chemical industries. In the former the wages are relatively low (the wealth created per worker being too small to admit of a high wage), whereas in the latter class, the wages are relatively high.

Some of our most experienced captains of industry contend that our fiscal system has in the past promoted the growth of low-quality rather than high-quality industries. But as this raises political issues we cannot do more than indicate the problem and leave each reader to probe it and deduce his own conclusions.

This contention may, however, be illustrated by taking an extreme, though not an exceptional, instance. Before the Great War we carried on an extensive trade with Germany, sending to that country much coal and semi-manufactured material and receiving in exchange expensive dyes, drugs, and other fine chemicals, scientific instruments, etc., etc. It was a common thing for coal to be mined in Great Britain, raised to the surface, transported by rail and sea, and delivered on the quay of a German port for about 10s. to 12s. per ton. Meanwhile in Germany the best optical instruments in the world (microscopes, field glasses, etc.) were being manufactured by highly skilled artisans. A field glass made by these workmen would easily fetch £12 in London. To obtain this instrument—weighing altogether about 16 oz.—some 20 to 24 tons of coal would be given in exchange by way of trade; and according to the theory of political economy the above would be regarded as a satisfactory transaction, since each party was (apparently) satisfied with the result of the exchange.

But some able thinkers are nowadays beginning to question whether such an exchange is really beneficial to this country. They ask, in short—which nation gains most in a transaction such as the above; whether the nation which exchanges a commodity produced by a few highly skilled artificers, working under safe and comfortable conditions for a comparatively few hours, or the nation that gives in return for

this commodity the product of the sweat and toil of many of its people for many hours in unskilled occupations of a hard and even dangerous character?

The foregoing example will enable you to understand the value to a country of its "high-quality" industries, *i.e.* those that produce the most wealth per worker and therefore are capable of paying the highest wage. You will then perhaps discover some relation between the *quality* of our staple industries and the poverty of large masses of our workers. You might exercise your mind in a further analysis of this theory, which if correct would point the way to far-reaching industrial changes.

The most recent suggestion made for dealing with unemployment lies in the extension of the principle of insurance against unemployment to each industry as a whole, a proposal which is now being carefully examined by our statesmen and leaders of industry, and of which you are likely to hear more in the future.

The root idea of "Insurance by Industries" is not difficult to grasp. It consists in the provision *by each industry* of a fund to which the employers, the workpeople, and the State shall all contribute in agreed proportions, and out of which payment would be made to those members of the industry who in times of bad trade were thrown out of employment; the scheme to be administered jointly by the employers and the trade unions.

For success this self-insurance scheme demands that all "ca' canny" and other methods of restricting output should be discarded, and that the warfare between Capital and Labour should be abandoned. With goodwill on both sides the possibilities of such a union of forces to combat the evil of unemployment are capable of wide extension to the other risks of industrial life.]

#### SOCIALISM. COLLECTIVE OWNERSHIP

There is no term so much abused and so vaguely used as the word "Socialism." It is applied indiscriminately to every form of political belief; to that of the wild fanatic who would reconstruct the State by the aid of dynamite; to that of the communists, or collectivists, who would start the world afresh by dividing up property equally among all; to the modest aspirations of those who would like to see the Municipalities undertake the provision of pure milk; and to the unselfish creed of the slum-worker who believes that by devoted personal effort alone can society be saved. Socialism varies in various countries. In France it is largely identified with the revolutionary and anarchical programme of "Syndicalism," whereas in Germany the Socialists—though far outnumbering

any other political party—are so divided amongst themselves that it is difficult to know exactly what they want.

Socialism in England is neither so revolutionary in its aims as in France, nor quite so theoretic as in Germany. The love of law and order ingrained in the Englishman's nature, and his practical character, assert themselves even among those who openly avow themselves to be advanced socialists. Of course we have in England also, a section who advocate force as a remedy for social ills, but their number is small, and their leaders inconspicuous for intelligence or ability.<sup>1</sup> The vast majority of English socialists desire to attain their ends by constitutional means.

And what is it that socialists, everywhere, want to arrive at? As far as one can discern any common ends, they all want to abolish private property in land, mines, railways, canals, factories, shops, etc., in fact, they object to private ownership of any of the many forms of production, distribution, and exchange of wealth. They would nationalise all these things, that is, they would make the State the universal landlord, owner, and employer. No one should work more than eight hours a day, and to every worker should be guaranteed a minimum wage. The amassing of fortunes would be rendered impossible, and everybody would be pensioned off comfortably if disabled, or upon attaining a moderate old age. These are approximately the ideals of the thorough-going socialists, and they assure us that if the State were the universal employer and landlord we should no longer be troubled with labour disputes and strikes, but that every one would be eager to work for the common good.

You must judge for yourself whether the socialist aim is within practical reach, or, if attained, whether general contentment would be the result, and whether it sufficiently takes into account the ordinary motives of human action. What guarantee have we, for instance, that our great manufacturing industries upon which Great Britain relies for the purchase of food from oversea would be conducted under State management with increased or even equal efficiency; what guarantee

<sup>1</sup> This was written in 1913. Since then the Communists seem to have increased in numbers and one of their adherents was returned to Parliament at the General Election in November, 1922. They still remain as a party, undistinguished by industry or intelligence, and have lately added to their propaganda a peculiarly offensive form of atheistic teaching.

have we also that strikes for higher wages would not occur in a socialist community ? The socialists declare that we have already gone a long way in their direction, and point to the ownership and successful management by the State of the Post Office, and ask why this principle should not be extended into other spheres ; why, for instance, the State should not buy up and manage the railways and mines ? They point also to municipal trading, and show that many Town Councils own the gas and waterworks, and the tramway systems within their administrative areas, and that the profits go for the benefit of the community in some form or another. Why, ask the socialists, should the Councils stop at trams, gas and water ? Why not have municipal farms for the supply of pure milk, and municipal stores for the sale of unadulterated goods at the lowest possible prices, and municipal collieries to supply coal without any middleman's profit ? On the other hand, "individualists" altogether object to the State or the Municipal Councils going into business and taking up work which can be done more economically and efficiently by private enterprise. They urge with a great degree of truth that State-owned-and-managed industrial concerns are rarely or never successfully conducted.

These, and such as these, are questions which you will find hotly debated nowadays between men of divergent political views. In this little book we can only place the subject before you. You must use your reasoning powers and dismiss your preconceived prejudices when you come to examine these most difficult problems of 20th-century citizenship.

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Contrast the ancient Trade Guilds with the modern Trade Unions, and see wherein they differ in their objects.
2. Debate in full the proposition that "The Government must find (or make) work for the unemployed, or provide maintenance (*i.e.* a dole) at full trade union rate of wages."
3. In connection with trade unions what is meant by (*a*) peaceful picketing ; (*b*) strike breaking ; (*c*) a blackleg ; (*d*) malingering ; (*e*) recognition of a trade union ?
4. Discuss the effect of unrestricted international competition. Can you suggest any *practical* means of restricting such competition ?
5. Should strikes be made unlawful, and arbitration compulsory ?
6. Afforestation, reclamation of fore-shores, small holdings, emigration, are all recommended as a means of reducing the amount of unemployment. Discuss each of these proposals.

7. Imagine a Socialist State where no industry was conducted for private profit. How would you provide in such a community any incentive to industrial progress; and how would you reward a man who made some commercially valuable discovery?

8. Can you explain why many socialists object to co-partnery and profit-sharing schemes between Masters and Men?

9. Co-operative Stores (*i.e.* distributive agencies) among working men have proved very successful; but co-operative Factories (productive agencies) rarely so. Can you assign any reason for this lack of success in co-operative production?

10. Discuss the value of Relief Works in times of unemployment. What is their effect on the *morale* of the workers?

11. Marshal the arguments for and against the nationalisation of the (*a*) Mines, (*b*) Railways, (*c*) the Textile Industries.

12. How far in your opinion would unemployment be lessened if Britain "went dry"? Support your opinion with some facts and figures.

13. Discuss the effect of repetition work (caused by the minute subdivision of labour in modern factories) upon the worker.

14. Give examples of the principle that "work begets work." What would be the effect on the carpenters', slaters', plumbers', and plasterers' trades if the bricklayers were to double their output of work, *i.e.* lay twice as many bricks per day?

15. If a serviceable bicycle could be made and sold with a reasonable profit for £3, what do you think would be the effect on (1) the numbers of those employed in the trade; (2) their wages; (3) the permanence or otherwise of their employment; (4) the steel-tube industry; (5) the prosperity of the country as a whole?

16. What do you know of Building Guilds and their work in Manchester?

17. Discuss the relative functions of Capital, Labour, and Brains in modern productive industry and the appropriate reward of each.

18. If you agree that more "high-quality" industries should be established in this country, how would you set about it and what chance would they have (in your opinion) of a prosperous future?

19. Argue the case for making the voluntary Wage Agreements arrived at by the Joint Industrial Councils, described on p. 199, *legally* binding on the whole of the industry concerned. (Mark the course of legislation on this subject.)

## CHAPTER XVII

### *ENGLAND AND THE EMPIRE*

#### THE BRITISH COMMONWEALTH OF NATIONS

You have, no doubt, learnt in your geography lessons many interesting facts about the widely-scattered territories known collectively as the British Empire. You have probably scanned the map of the world and observed those parts of it coloured red, and have been told that these portions belong to Great Britain, and that they comprise altogether about one-sixth of the land surface of the globe. You have read, too, in your histories of the founding of our Colonial Empire by bold adventurers like the Cabots, Humphrey Gilbert, Drake, Raleigh, Hawkins, Cook, and others; how they sailed away from these shores and planted the British Flag in distant parts of the world, and how, without any definite or premeditated plan, they added bit by bit to the nation's possessions. You have doubtless delighted in tales of fights for the flag, in recitals of deeds that won the empire, and of many a brave and noble act done for its sake on land and sea, in war and peace; and your heart has been stirred by these glorious records of our rough island's story, and you have felt proud of your birthright —of being born of British blood. It is good to feel the glow of patriotic pride, and to rejoice in the fact that you spring from a race owning such high traditions.

But patriotism is more than waving the flag and singing songs on Empire Day. Self-glorification is ignoble. Great Empires have existed in the days of long ago, have decayed and have disappeared. Let us, therefore, examine for a few moments some of the problems affecting the constitution and well-being of the British Empire, and ask ourselves whether it, too, is destined to decline and fall like those of the past, or whether it is founded upon a more solid and enduring basis.

Do not forget that six-sevenths of the four hundred million people who owe allegiance to the British Crown are alien to us in blood, language, and colour, and that we hold the Empire for them as much and even more than for ourselves. We must guard against the view that the coloured races are born and exist only to be ruled over by whites. That used to be the general belief. Ideas of universal brotherhood, and the doctrine that the black man has a claim to equal rights with the white man are of quite modern growth. The abolition of slavery throughout the British Empire took place within the memory of many people still living ; whilst the emancipation of the slaves in America lies within the lifetime of the author of this book. Public opinion has undergone a complete change. We now hold that the attitude of the white man towards the less experienced and less educated races should be that of friend, adviser, and teacher, rather than that of lord and master.

That Might is Right is no longer the accepted rule. Duty has become our watchword. Every right has its corresponding duty, and since we claim rights over so large a portion of the earth's surface, we incur duties correspondingly great. This is what is meant by "the white man's burden." Since we have had laid upon our shoulders the task of governing so many races in so many lands, we must see to it that that task is worthily fulfilled ; that those who look to us for guidance shall be educated and trained so that in due time they may learn the art of self-government ; that the laws under which they live shall be humane, and shall favour no man above his neighbour ; that taxes shall not be oppressive, and shall weigh least heavily upon the humble classes ; that justice shall be administered fairly between rich and poor, and between black and white ; and that freedom of person, of speech, and of thought shall be the right of all so long as they keep within the wide bounds of the law. We have tried to put these principles of government in force in every portion of the Empire —wherever, in fact, the Union Jack is flown—and in this respect the British Empire differs from all the Empires of antiquity. The Roman Empire adopted another attitude towards the nations whom it subdued. The conquered princes were taken captives to Rome to grace the Victor's triumph. The subjugated peoples were not trained to govern themselves ; they were overawed by the military, and often reduced to slavery and exploited for the enrichment of their masters.

Both Greeks and Romans were highly civilised peoples, yet they saw nothing wrong in this procedure. Not until the 19th century—as we have already learnt—did our own Empire rid itself of the odious charge of countenancing slavery. You who have been reared in a free country, and who look upon such elementary rights as above described as your natural birth-right, can hardly realise how slowly they were won for you by your forefathers, and how much they mean to people still groaning under despotic and arbitrary rule.

The lesson, therefore, that the history of the bygone ages teaches us is, that our vast Empire is not merely a priceless heritage, but a *trust* for which we are one and all responsible ; and that unless we discharge this trust well and faithfully, it too must decline and fall like those that have gone before it.

Each of you when you attain to manhood can influence the destiny of the Empire through your vote. It is the part, therefore, of a good citizen to project his vision beyond the affairs of the parish or town in which he lives, and to take a broad view of the vast field in which our fellow countrymen and fellow subjects are working. For to whichever of the Commonwealth of Nations we belong, whether Englishmen, Scotsmen, Irishmen, Canadians, Australians, New Zealanders, South Africans, or natives of India, whether white or coloured, we are all British subjects, and the welfare of each affects the welfare of all. Discontent, injustice, oppression, war, famine, disease and distress, cannot exist in one part without their effects being felt elsewhere. In the same way if any portion of the Empire is enjoying prosperity the beneficent influence of that prosperity is felt far and wide. For better or worse we are united together as members of one body. If you think still deeper you will discover that this solidarity of mankind exists among nations just as much as between the various portions of the Empire. When this is universally recognised a new era will dawn. It will then be seen that devastating war is the worst possible way of settling international disputes.

#### THE DOMINIONS BEYOND THE SEAS

Some parts of our Empire have grown up into manhood, and are too big and powerful to be called any longer by their early name of “colony.” From sparsely populated settlements they have developed into sister nations, and are now

autonomous—that is to say, they govern themselves. They have their own Parliaments, their own courts and judges, their own educational systems, and they are now setting up schemes for their own defence in order to relieve the Motherland of the duty of protecting them from possible invasion. Indeed, as you have doubtless read in the newspapers, some of the Dominions have already contributed to the cost of the Imperial Navy to which we entrust the task of guarding the ocean-paths between the various parts of the Empire.

The Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, and the Union of South Africa are the most important of the Dominions beyond the Seas. From your histories and geographies you will learn the story of their discovery, colonisation, position, area, climate and products; but there are certain other matters which perhaps you will not find in your books, and to these we will address ourselves for a few moments.

#### CANADA

Have you ever considered the effect of Climate upon the development of a country, and upon the character of its inhabitants? If not, you will soon see that the future of the great Dominions is bound to be greatly influenced by their climatic conditions. In Canada, for instance, the winter is long and severe, with the result that negroes do not care to settle there. Canada is thus free from the "black problem" which besets the future of the United States. There is no great difficulty in preserving Canada as a "white man's country." Neither do the South European races emigrate largely to Canada. They, too, do not enjoy its rigorous winter. Canada is thus relieved by Nature of two very undesirable elements which seriously affect the social development of her southern neighbour.

Again, the Canadian winter, bright and enjoyable as it is, does not favour the growth of weak and under-vitalised children. We may, therefore, expect in the course of a few generations to find Canada inhabited by a strong virile race of white men who will exercise a profound influence upon the destiny, not only of the Empire, but of the whole world. We must rejoice that a country so full of promise is also deeply attached to the Motherland by ties of blood, affection, and common institutions.

[Written before the Great War, the foregoing passage received ample illustration in the imperishable record of Service rendered to the common cause by the Dominion. Out of a population of about 7,000,000, Canada raised an army of about 600,000, of whom more than 400,000 were sent oversea. Their casualties were very heavy, exceeding 200,000 resulting in nearly 57,000 deaths.

The French Government has presented to the Dominion an area of 250 acres on the Vimy Ridge—the scene of many heroic exploits in which the Canadians earned undying fame. Here we shall soon find a park containing a majestic memorial to the glorious dead, a bit of France for evermore is to be accounted part of Canada.]

### AUSTRALIA

Now let us turn to the southern hemisphere. In Australia the climate ranges from that of the torrid to that of the temperate zone, and thus the preservation of the Commonwealth as a white man's country presents difficulties hardly known in Canada. For some years the sugar plantations of Queensland were largely worked by black labour—Kanakas from Polynesia. But the feeling runs strongly in Australia against the presence of black people. A "white Australia" is their cry, with the result that laws were passed a few years ago against the employment of black labour, and the Kanakas were deported and repatriated. Since the 31st December, 1906, black men have been practically prohibited from entering Australia. To compensate the sugar growers for the loss of their labourers, a heavy bounty was given by the State Government upon all sugar produced by white labour. The work of cultivating the cane under a tropical sun appears, however, to be unfit for white men, and the production of sugar seems to have diminished since the departure of the blacks.

Australia consists, as you probably know, of six self-governing States—New South Wales, Victoria, Queensland, South Australia and Northern Territory, Western Australia, and Tasmania—which have bound themselves into a Federal Commonwealth under the Crown of the United Kingdom of Great Britain and Ireland. The Act<sup>1</sup> which brought about this great Federation came into force on the 1st January, 1901.

Long before the Federation, however, the several States of Australia had regarded it as desirable to impose certain

<sup>1</sup> 63 & 64 Vict. c. 12.

restrictions upon the influx of Asiatics, particularly Chinese, who were attracted in great numbers to the gold fields where their characteristic industry reaped a rich reward. Increasing anxiety to preserve Australia for the white man has led the Commonwealth Government to legislate against the further introduction of Asiatics, and it is now very difficult for a yellow man to obtain admission to Australia. Thus, you see, that the strong arm of the law has been invoked by Australians to do for their country what the climate so largely does for Canada. Australia, however, welcomes Europeans, and invites them to fill the big empty spaces of the Continent. She particularly desires to find inhabitants for the great Northern Territory surrounding the Gulf of Carpentaria, which, as you will see from the map, lies within the tropics. Much of this region is very fertile and fit for colonisation, but whether white men can live there permanently is a question which time alone can determine. At all events, Australia is resolute in withholding it from settlement by the black or yellow races ; though, doubtless, by the introduction of Kanakas and Asiatics its vast natural resources would be more quickly developed.

[We remember also with gratitude the immense effort made by Australia in the Great War. Up to the end of the conflict the Commonwealth had enlisted no fewer than 416,809 men fully equipped for service. Wherever engaged, whether in Gallipoli or elsewhere, they behaved with the utmost gallantry. Their total casualties were over 318,000, resulting in nearly 60,000 deaths. When we consider that these forces were drawn from a population of under 5 millions, the immensity of Australia's effort will be at once recognised.]

#### NEW ZEALAND

The Dominion of New Zealand seems to stand happily outside the troubles arising from racial differences. Her isolated position, remote from the immediate proximity of black or yellow races ; her climate, which resembles that of England ; and her pastoral industries, which appear to afford little opportunity for the employment of coloured labour, have doubtless saved New Zealand from some of the problems which have perplexed Australia. A large measure of prosperity attends the industrial activity of the Dominion, which renders it an attractive home for the numerous emigrants from these shores, who are prepared to make the long voyage to this most distant portion of the Empire.

[It will ever be remembered that on the outbreak of the Great War, New Zealand contributed a Force which captured German Samoa, and an Expeditionary Force for service in Europe, which fought with great distinction and success in Egypt, Gallipoli, Palestine, and was engaged to some extent on the Western Front. Out of a total of 100,000 men, drawn from a population of little over 1,000,000, no less than 17,000 lost their lives.]

### SOUTH AFRICA

It is as yet too soon to speak confidently of the future of the four South African colonies—the Cape, Natal, The Transvaal, and the Orange Free State—which by an Act of Parliament,<sup>1</sup> in 1909, bound themselves together into the Union of South Africa. Less than ten years after the fierce war between Boer and Briton, which rent South Africa asunder, and cost the lives of tens of thousands of brave men, the hostile states were federated into a Union which—it is hoped—will establish a settled form of Government acceptable to both races. The Seat of Government is at Pretoria, and the Parliament sits at Cape Town.

The difficulties before the new Union are many and great, e.g. the language problem—whether Dutch or English shall be the official language, and which shall predominate in the schools frequented by Boer children; the question whether the black population shall have political and other rights equal to those enjoyed by the whites, etc. There are many other problems, too complex to deal with here, which will require supreme tact and skill in their handling by South African statesmen. We shall all, therefore, watch the progress of the young Federation with anxious hope. It is a good augury that the Union chose as its first Premier Mr. Louis Botha, who had fought valiantly in the Boer war of 1899–1902 against the British troops. When the strife closed Botha won the respect and admiration of his former adversaries by his strenuous endeavours to make the peace effective and permanent, by joining all the colonies—Boer and British—under one united government.

[What was here said in 1913, is to-day doubly true. In 1914–15 the Union Forces were led by General Botha into German South-West Africa and after a difficult campaign compelled the surrender of

<sup>1</sup> 9 Ed. VII. c. 9.

the German forces on July 9, 1915. The territory is now administered by the Government of the Union under a "Mandate" from the League of Nations (see p. 227). General Botha died, to the regret of the whole Empire, on August 27, 1919. He was succeeded as Prime Minister by another equally eminent South African statesman, soldier, and orator, the Rt. Hon. Jan C. Smuts, who had also fought against Britain in the Boer War. General Smuts, like his predecessor General Louis Botha, earned much distinction also in the Great War as Commander of the Forces engaged in clearing the enemy out of German East Africa.

South African troops also distinguished themselves on the Western Front. The title deeds of Delville Wood, containing the graves of those who fell there in the battles in France, are now held by the Government of the Union of South Africa, and Delville Wood is—legally—part of South Africa.]

The Cape is of immense strategic value, as in time of war it might very well happen that our only route to India lay round the south of Africa. A charge of dynamite might block the Suez Canal, and were South Africa in hostile hands our path to India might be completely barred. The completion of the Panama Canal, which is open to warships of all nations, affords an alternative, but much longer route.

### INDIA

The gradual steps by which British rule has been extended over India until now it practically covers the whole of the great peninsula, is one of the most fascinating stories in world history; a story with which, as good citizens, you should acquaint yourselves. You would not regard a workman very highly who was ignorant or clumsy in the use of the tools of his trade; and it is equally true that a man cannot be regarded as an efficient citizen if he is ignorant of the history of the Empire under which he lives, and in which he is required to exercise the rights of citizenship. Make it your duty, therefore, as you go through life to "sandwich" some serious reading of history and geography between the books you read for mere recreation. You will be amply rewarded. There are true stories in the history of India, of Canada, of Australia, of South Africa, and indeed of all portions of our Empire, which are just as thrilling as any romance you have ever read. Moreover, you will find a great pleasure in being better able to understand the difficult imperial questions with which the

Government of the day is constantly confronted. In the control of the destinies of India and of the Colonial Empire, we should be neither Liberals nor Conservatives, but should guide our steps by the light of history, and by what we believe, after careful thought, to be right, just, and true.

Our territorial interests in India date from the foundation in 1600 of the East India Company, which was formed to carry on trading operations in the East. From the foothold first secured at Surat, by this famous Company, our influence has steadily spread, until when in 1911 the King-Emperor George and the Queen-Empress Mary held their grand court or Durbar at Delhi, and received the homage of many native princes, British rule extended over a country of more than one and a half million square miles, containing a population of more than 320,000,000 inhabitants, made up of a host of distinct nations and tribes speaking over 200 different languages. It is because of the differences of race, language, religion, and caste, that it becomes possible for a mere handful of white men to govern the vast dependency. There is only one white person in India to 35,000 natives.

The increase of our power in India during the past 300 years has not been the result of mere greed of territory. It is always difficult for any European nation to occupy even a small portion of the country of a less civilised community without extending its sphere of influence. Thus, for instance, attacks are made upon the trading settlements by warlike tribes which must be repulsed ; trade routes are subject to interruption by bands of robbers and must be guarded and kept open ; friendly tribes are harried by some enemy, and look to the European settlers for assistance against the common foe ; frontier disputes arise which can only be ended by the appropriation of new territory ; traders and missionaries push forward into dangerous and unsettled regions, and are perhaps massacred, whereupon the murderers must, if possible, be caught and punished, and failing that, the whole district must be taught a severe lesson. These are the usual incidents which every great trading nation experiences when extending its commerce into uncivilised lands. English and French traders have always been noted for the persistence with which they have forced themselves into wild and inhospitable regions ; and we have over and over again in the story of our colonial development been obliged to assume the responsibility of

governing some outlying territory, not only for the protection of the traders, but also for the defence of friendly natives against their hereditary enemies. As an illustration of this process read the story of James Brooke, Rajah of Sarawak in Borneo. In similar manner we were led not very long ago to annex Upper Burmah; whilst the repeated extension of the N.W. frontier of India is another example of annexation necessitated by the presence in that region of many wild and aggressive mountain tribes.

#### BRITISH RULE JUSTIFIED

The Sovereign Ruler of Great Britain is Emperor of India, but as a constitutional Sovereign he can only act in that capacity through a Minister—the Secretary of State for India, who is always a member of the Cabinet. The Secretary for India is assisted by a Council containing several Indian members, all of whom must have some experience in Indian affairs. Formerly the Council exercised a very strict control over Indian affairs and no expenditure from Indian revenues was legal unless sanctioned by the Secretary of State for India and a majority of his Council. Latterly, however, as will be shortly described, the control by Imperial Parliament and the Secretary of State over Indian affairs has been greatly modified. Nevertheless, subject to the provisions of the Government of India Act of 1919, and the Rules made thereunder, the Secretary of State for India can still impose his orders on the Government of India.

Meantime, one fact you should grasp, viz. that the Indian Revenue is never used for the enrichment of the English nation, nor does the King as Emperor of India receive any addition to his income from that country. The money raised from the people of India is expended in India upon the cost of its own Government, Army, Civil Service, Public Education, Railways, Irrigation Schemes, etc. Grants for Education are made out of the Indian revenue on much the same principle as in England. It must not be forgotten also that vast sums are voluntarily sent out by the various Churches in this country to establish and support mission schools, medical and other missionaries, and denominational institutions of various kinds in all parts of India.

Britons are, not without justification, proud of their

Indian Empire. It has been the theatre of many acts of heroism and of the display of many of the best virtues of the British character. In India we have been able to show how we may rule over races quite incapable of self-government, with justice, wisdom, and magnanimity. If our controlling hand were removed, the country would at once be torn from end to end by internecine war. The various sects are very hostile towards each other. Under British supremacy peace is maintained, and public works—railways, irrigation schemes, etc.—are carried out for the benefit of all. Suggestions that we should retire from India and allow the country to rule itself betray a complete ignorance of history, as well as of the conditions which exist in the great peninsula. Representative government, of which you have read in Chapter IV., is not familiar to the Oriental mind; nor do all Eastern nations seem able to understand it, having been long accustomed to autocracy (see p. 2). Do not, therefore, be led away by ignorant statements that India suffers, because we do not at once establish representative institutions there, and quit the country leaving it to manage its own affairs.

Representative Institutions, involving as they do the doubtful advantages of Party Government and Majority Rule (see p. 38), are apt by Western nations to have attributed to them many virtues which they do not in fact possess. They are only possible with a people capable of understanding that a citizen's duties and obligations are just as important as his rights and privileges. And the Indian peoples must first be trained to the use and appreciation of such institutions before they can be safely left to govern themselves. That may come eventually, but the time is not yet. The masses in India would hardly know what to do with a vote even if they had one. Ninety per cent. of the population can neither read nor write, in spite of all the schools that have been established. Meanwhile, educated Indians are freely appointed to high office under the Government, to positions of command in the Indian Army, to seats on the Judicial Bench, etc.

#### REPRESENTATIVE GOVERNMENT IN INDIA

[The foregoing passage, written in 1913, still fairly indicates the inherent difficulties in establishing representative institutions in India. But events have marched rapidly since then, and a memorable landmark in the history of our constitutional relations with India is to be

found in the Government of India Act of 1919, in which culminates the long series of efforts made to educate the Indian peoples to the task of self-government.

Even so far back as 1833 it was made law by an Act for the better government of India,<sup>1</sup> that "no native shall by reason only of his religion, place of birth, descent, colour, be disabled from holding any place, office, or employment." Several subsequent Acts, especially those of 1861, 1909, and 1915, "sowed the seed of representative institutions," and at the Great Durbar held at Delhi in 1911, the King-Emperor, when announcing the transfer of the Seat of Government from Calcutta to Delhi, also made known that enhanced powers would be granted to local governments in India in respect to expenditure and the appointment of Indian officials.

Whilst the subject of the extension to India of further powers of self-government was under close consideration the Great War broke upon Europe. A wonderful and spontaneous outburst of loyalty and devotion to the King-Emperor was witnessed throughout the Peninsula and practically all the Ruling Princes placed their military forces and the resources of their States at the disposal of the Government. Large contingents of native troops were sent for service in Europe and elsewhere and fought gallantly on many fields.

One of the reactions of the sharing by India in the mutual defence of the Empire was to accentuate among the natives the desire for further constitutional changes in the direction of self-government. Both during and since the war various Commissions have carefully examined this problem—which is fraught with many difficulties—and the final results of their inquiries, deliberations, and reports were, in 1919, embodied by Parliament in the epoch-making Government of India Act.<sup>2</sup>

In its introductory words this measure is defined as an Act "to provide for the increasing association of Indians in every branch of Indian Administration and for the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in British India as an integral part of the Empire."

On the occasion of giving the Royal Assent to this remarkable Act, His Majesty King George issued a Proclamation to the Princes of the Indian States and "My Subjects in India of whatsoever race or creed," from which we quote the following noble and eloquent passages:—

"The Act which has now become law entrusts elected representatives of the people with a definite share in the Government and points the way to full responsible government hereafter. If, as I confidently hope, the policy which this Act inaugurates should achieve its purpose, the results will be momentous in the story of human progress. . . .

"I have watched with understanding and sympathy the growing desire of My Indian people for representative institutions. Starting

<sup>1</sup> 3 & 4 Wm. IV. c. 85.

<sup>2</sup> 9 & 10 Geo. V. c. 101.

from small beginnings this ambition has steadily strengthened its hold upon the intelligence of the country. . . . It has been stirred to more vigorous life by the ideals for which the British Commonwealth fought in the Great War, and it claims support in the part which India has taken in our common struggles, anxieties and victories.

"The control of her domestic concerns is a burden which India may legitimately aspire to take upon her own shoulders. The burden is too heavy to be borne in full until time and experience have brought the necessary strength; but opportunity will now be given for experience to grow and for responsibility to increase with the capacity for its fulfilment."

The details of this great Act are too complex for discussion here; their general purpose can alone be indicated. It is to be observed, however, that the transfer of responsibility to the Indian peoples for their self-government is not absolute, and that the Secretary of State for India can, if necessary, overrule the decisions of the Government of India. This reserve of power is essential until the Indian peoples have clearly proved themselves capable of wisely exercising their newly-conferred responsibilities and of bearing the entire burden of government by representative institutions.

Meanwhile, this Act may be looked upon as the greatest and most splendid effort yet made in the world's history to harmonise the governmental ideals of East and West. In effect it is a notable act of renunciation on the part of the British nation, and we all hope and trust that it may be crowned with success.]

Looking backward, the British people have every reason to be proud of the British "raj" or rule in India. Mistakes, of course, have been made. But England has given, and is still giving, numbers of her best men, and her best thought and endeavour, to promote the welfare and happiness of India's teeming millions. The highest tributes have been repeatedly paid to our rule in that country by the greatest French, German, and American authorities. Let us, therefore, take encouragement from these words of commendation, and persevere in our work in India, confident that we shall add still further to the lustre of this brightest jewel of the British Crown.

### EGYPT

The British occupation of Egypt—the land of the Pharaohs—belongs to very modern history.

It is too long a story to tell here in detail, and you must consult such a work as Lord Cromer's "Modern Egypt" if you wish to know how it came about that on July 11, 1882, the British warships bombarded Alexandria and sub-

sequently entered the country to quell the frightful disorder into which it had fallen. You will learn in those volumes how it became impossible for our troops to quit the country so long as the warlike dervishes were able to come down from the Sudan and harry the defenceless fellahs or peasants of Egypt. No more dramatic story exists than that of the attempt made by General Gordon to deal single-handed with the Mahdi, the prophet-leader of the dervishes, who was looked upon by them as of divine origin. You all have heard of Gordon's fate—how he was shut up in Khartoum, and how the Expedition organised for his relief arrived just too late to rescue him. He had been murdered by the fanatics on January 26, 1885, two days before the Relief Expedition, after encountering infinite difficulties, came in sight of the beleaguered town. It became necessary thereafter to reconquer the Sudan, and to do this an Egyptian Army was trained by Lord Kitchener, who gained a decisive victory over some 50,000 dervishes at Omdurman near Khartoum on September 2, 1898.

The progress of Egypt since the re-conquest of the Sudan has been remarkable. The whole country has been settled. A railway has been carried to Khartoum,<sup>1</sup> and a college for the education of the natives has been erected near the spot where Gordon fell.

The British occupation of Egypt has done for the Egyptians what they had proved quite incapable of doing for themselves. Taxes have been reduced and equalised, and the peasants are no longer subject to unjust and crushing imposts; industries have been established, and both sugar and cotton are now grown with great success; the fellahs are becoming prosperous to a degree never known before; a balance to the good in the country's accounts now takes the place of the deficit which regularly occurred under the old rule; huge dams have been thrown across the Nile to preserve the waters for irrigating the land in that rainless country; canals have been cut to carry the water to the fields, with the result that the crops are now secure against any possible failure of the annual overflow of the Nile. The Law Courts and the Criminal Law have been reformed, and the prisons in which captives once lived for months like wild beasts have been wholly reorganised;

<sup>1</sup> And far beyond.

the purchase of slaves has been made a criminal offence ; good hospitals, asylums, and schools (for girls as well as boys) have been established ; the water supply to the towns improved ; railway and postal facilities extended, and many other benefits, too numerous to mention, secured for the country.

Lord Cromer,<sup>1</sup> who as Consul-General in Egypt, more than any other man was responsible for the introduction of good government into that land, believed that Egypt must eventually either become autonomous (*i.e.* self-governing) or must be incorporated into the British Empire.<sup>2</sup> He himself hoped that, in time, the Egyptians might learn the art of self-government and manage their affairs for the benefit of the whole country. Unfortunately, however, the Egyptian too often is apt to regard office as a means of providing him with a good salary and an easy life, rather than with opportunities of devoted and disinterested work for his fellows. The Egyptian peasants are among the most industrious people in the world ; but the upper classes appear to be lethargic and self-indulgent. The question of handing over the entire management of Egyptian affairs to Egyptians thus presents a serious and anxious problem.

#### PASSING OUT OF THE EMPIRE

[Events in Egypt, as in India, have marched with rapid foot and the Great War, which has left little the same as it was in 1913, has materially affected the character of the Government of Egypt, and the relations between ourselves and that country.

In 1914 Egypt was a semi-independent State acknowledging the suzerainty of the Sultan of Turkey and paying to that country a heavy annual tribute in money. The flag was Turkish and the words of command used in the Egyptian Army were Turkish. In effect Egypt was nominally a province of the Turkish Empire, though the British had in the country an Army of Occupation.

When on the outbreak of the late war the Egyptian ruler or "Khedive," Abbas II., declared himself on the side of Germany, he was at once deposed by the British Government, who on December 18, 1914, announced that Egypt was now "placed under the protection of His Majesty and will henceforth constitute a British Protectorate." A Protectorate, it may be observed, implies a native ruler and a native Government. By this declaration the previous sovereignty of the Turkish Sultan ceased to exist, and Hussein Kamil was placed on

<sup>1</sup> Lord Cromer died January 29, 1917.

<sup>2</sup> "Modern Egypt," vol. ii. chap. lxii.

the throne with the equal title of Sultan—the first Sultan of Egypt. He died in October, 1917, and was succeeded by his brother Fuad I.

Meanwhile the cry for "self-determination," or as we might perhaps term it "Home Rule," was raised in Egypt as—during the war—it was raised in India and many other countries, and was accompanied by much unrest and serious rioting. In September, 1919, therefore, our Government sent out a Mission to Egypt to inquire into and report upon the steps to be taken to introduce some measure of self-government, and on November 19, 1919, the High Commissioner—Field-Marshal Viscount Allenby—issued a Proclamation which we quote in full as it illustrates admirably the attitude of Great Britain towards Egypt and those other countries under our protection which are gradually emerging or will eventually develop into independent self-governing States.

"The policy of Great Britain in Egypt is to preserve the autonomy [*i.e.* self-rule] of that country under British protection, and to develop the system of self-government under an Egyptian ruler. The object of Great Britain is to defend Egypt against all external danger and interference by any foreign Power, and at the same time to establish a Constitutional System wherein—under British guidance as far as may be necessary—the Sultan and his Ministers and the elected representatives of the people may, in their several spheres, and in an increasing degree, co-operate in the management of Egyptian affairs."<sup>1</sup>

In pursuance of this policy Egypt was on February 28, 1922, declared to be an Independent Kingdom which Britain pledged herself to protect against foreign aggression or interference. At the same time the title of Egypt's ruler was changed to that of King. Egypt has now, therefore, ceased to be part of the British Empire.

It may be asked why Great Britain should interest herself so deeply in Egypt? The answer is to be found in a study of the map of the world. The Suez Canal and the strip of land joining Africa and Asia constitute in a sense the spinal cord of the British Empire. In the words of the Prime Minister when he communicated to the House of Commons the intention of the Government to confer independence upon Egypt, "the welfare and integrity of Egypt are essential to the peace and safety of the British Empire."

It is too early to judge whether Egypt will use her new powers wisely and well, but as in the case of India we profoundly hope that the generous and conciliatory policy pursued by Great Britain may be justified by the steady progress of this new Kingdom to an honoured position among the civilised nations of the world. Meanwhile until well-ordered government is firmly established and Egypt can "stand on her own feet," our soldiers have not evacuated the country.

To the south of Egypt lies the Sudan, an immense territory of

<sup>1</sup> The Constitution was accepted and signed by King Fuad and his Ministers on April 19, 1923.

over one million square miles, under the protection of Great Britain, and administered by a Governor-General. About 1500 miles of railroad now runs through this territory to El Obeid. The continuation of this line to meet that coming north from the Cape is undoubtedly a matter of the near future. Though comparatively empty at the present time there are indications that the Sudan may one day be the scene of much commercial and industrial activity.]

#### CROWN COLONIES, ETC.

It would savour too much of a geography lesson were we to traverse the Empire and deal even in the briefest manner with each portion. If you have grasped something of the nature of the difficult problems that present themselves in India and in the great Dominions beyond the Seas, you will be prepared for the smaller yet still important questions which are constantly arising in connection with one or other of the numerous territories comprised in the British Empire.

The West Indies<sup>1</sup> and other Crown Colonies (*i.e.* colonies not yet endowed with responsible government, but ruled by a Governor appointed by the Crown) furnish their own set of problems, whilst the vast Protectorates, like Bechuanaland, Nyassaland, Uganda, etc., over which we exercise an undefined authority, all make calls upon the attention of the Secretary of State for the Colonies. You can rarely take up the newspapers without reading of some matter with which the Colonial Office has to deal. At one time it may be the investigations into the sleeping sickness in Uganda ; at another the measures for alleviating the distress caused by an earthquake or tidal wave in the West Indies ; or it may be some difficult question of colonial finance. Thus you see that the oversight of the Crown Colonies and other portions of the Empire which have not received full powers of self-government, throws a heavy burden upon the Colonial Office, and upon the Minister responsible to Parliament for that Department.

#### THE IRISH FREE STATE

[Another member has lately been added to the British Commonwealth of Nations by the creation in the "Sister Isle" of an "Irish Free State," which comprises all the counties of Ireland except six in the Province of Ulster.

<sup>1</sup> In these and some other islands we find a legislative assembly, wholly or partly elected by the inhabitants, and an executive council nominated by the Crown, or a Governor representing the Crown.

You are doubtless well acquainted with the recent history of this distracted country. Suffice therefore to say that when our Parliament passed, in 1920, a measure<sup>1</sup> which set up *two* Parliaments in the island, one for the little group of northern counties and one for the remainder of the country, the southern Irish refused to accept this arrangement and clamoured for complete independence ; the more violent among them demanding a Republic.

For reasons which you can think out for yourself the British Government refused to grant this demand, but offered a very large measure of independence, similar to that enjoyed by Canada and the other Dominions.

The more moderate Irishmen were willing to accept this offer and being in a majority in the Dail Eireann (the Irish Popular Assembly), they sent representatives to London who entered into a "Treaty" or Agreement with our Government which was signed on December 6, 1921, and "ratified" or confirmed by Parliament in December, 1922, by being embodied in the aforementioned Act.

Under this Act, Southern Ireland has been endowed with "the same constitutional status in the Commonwealth of Nations known as the British Empire" as the Dominions beyond the Seas.

At the time of writing it is too early to attempt to forecast the destiny of the new State, which is fighting for its existence against the terrorist methods of the Republic extremists.

The Northern (Ulster) Parliament, which sits in Belfast, was opened by His Majesty King George on June 22, 1921, and is now the Legislative body for six counties : Ulster continues to send members to Imperial Parliament (see p. 33), but the Irish Free State is—by the nature of its Constitution—unrepresented there.

### THE MANDATED TERRITORIES

Since the war certain territories formerly German or Turkish possessions, e.g. Tanganyika Territory (late German East Africa), Palestine, and Mesopotamia, have been placed under British Administration. Their position is somewhat vague. They have not been annexed by Great Britain. They are neither Colonies nor Protectorates ; but are known as "Mandated Territories," inasmuch as they are entrusted to Great Britain to be administered under a "Mandate" from the League of Nations, which through the "Mandates Commission" "keeps an eye" on the administration to ascertain whether our trusteeship is conducted with humanity and justice and with a due regard to the interests of the native population. Others of the Allies besides ourselves have also received "Mandates" in respect of other ex-enemy possessions.]

<sup>1</sup> The Government of Ireland Act, 1920.

The oversight and management of so great an Empire is indeed a Titan's task, and of course there are occasions upon which the interests of its various parts come into conflict. For the purpose of discussing colonial matters, and in particular the all-important subject of the Defence of the Empire, there has developed in recent years an excellent practice of inviting the leading statesmen of the great Dominions beyond the Seas to meet His Majesty's Ministers in order to confer upon questions which affect the Empire as a whole.

#### **IMPERIAL CONFERENCES**

The first of the Colonial Conferences, as they were then called, met in 1887, the year of Queen Victoria's Jubilee. It discussed imperial telegraphs and posts, and suggestions were made as to binding the various parts of the Empire more closely together by means of tariffs. We will speak of these in a moment.

In 1894 the second of these Conferences was held. It met at Ottawa. In 1897 and 1902 still other Conferences were held. In 1907 the meeting assumed the title of the "Imperial" Conference, and held an interesting discussion upon Imperial Defence which has led to important results. The same subject was further developed at the Conference of 1911 which was probably the most important of all these meetings. It is now safe to say that the great Dominions have accepted the principle that they must take their share in the defence of the Empire. No common line of action has as yet been adopted. You will, however, watch with the keenest interest these manifestations of the unity and solidarity of the Empire. Such preparations have no aggressive meaning, but are designed solely to maintain the uninterrupted flow of trade and commerce between the various parts of the Empire, and thereby to ensure the peace and prosperity of the whole world.

But you cannot expect the Overseas Dominions to rest content with mere contributions of money, or ships, or men. They very properly claim some voice in the control of Imperial affairs. You may be sure that at future Conferences—which are now held every few years—the question will be raised of the possibility of developing the Imperial Conference into a Parliament of the Empire. It would lead us too far to

discuss this very interesting and momentous proposal in these pages. The subject bristles with difficulties, some of which you may, perhaps, think out for yourself.

#### A PARLIAMENT OF THE EMPIRE

[The developments foreshadowed in 1913 in the foregoing passage came about with unanticipated rapidity as a result of the Great War.

Questions of naval and military policy, as you have already learnt (see pp. 21 and 114), were determined during the war by the "War Cabinet," which really consisted of an amalgamation of the Cabinet and the Committee of Imperial Defence (see p. 230). In the deliberations of this body the Ministers of the Dominions, it was felt, ought to be asked to participate. The large armies sent voluntarily by them to the assistance of the Motherland, naturally conferred the right to a voice in the conduct of the war.

Although as early as 1915 the Oversea Ministers who had contrived to visit London had been accorded the right of admission to the deliberations of the Imperial Defence Committee and had even been present at meetings of the Cabinet, it was not until 1917 that the Imperial Conference assumed the character of a real Parliament of the Empire.

On March 20, 1917, for the first time in our country's history, Ministers from the Overseas Dominions and Representatives from India, sat at the invitation of the British Government, in an "Imperial War Cabinet" with our own Ministers, to take counsel together, as an executive body, not only upon the conduct of the war, but also upon the affairs and interests of the Empire as a whole, an event described by our Prime Minister as "a memorable landmark in the constitutional history of the British Empire."

In the decisions arrived at, each of the Dominions and India had a vote equal to that of Great Britain, thus at once giving practical recognition to the new-born status of the Dominions and India as equal partners in the Empire. Since 1914 (as General Smuts, the Representative of South Africa, quaintly put it) the old British Empire had come to an end, and the British Commonwealth of Nations had taken its place.

The "Imperial War Conference," as it was termed, met again in June, 1918. Though their proceedings were highly confidential we know that their attention was turned upon such important matters as Shipping, Tariffs, Trade, Naturalisation, Demobilisation, Land Settlement, and other subjects of common interest to us all.

Again in 1921, the Prime Ministers of the British States met in Conference at Downing Street, in an "Imperial Peace Cabinet," and throughout June, July, and August of that year, continued their discussion of Imperial questions—in particular the future constitutional relations between the Dominions and the United Kingdom.

This Conference therefore marks a turning point in the national destinies of our Oversea Dominions, and the issue we have now to determine is (as stated by General Smuts), "How are we going to conduct the affairs of this Empire upon a common basis when we have no longer one great Power speaking for the whole, but six independent, equal, free members of this great Commonwealth?"

Here we must leave this tremendous problem of the future. You will doubtless watch its gradual solution with serious interest, and read with eager zest the proceedings of succeeding Imperial Conferences. We must, however, recognise the fact that in the late war "the great Dominions sprang to manhood, and the relations between them and the Mother Country changed at that hour." Bearing this in mind let us realise also that it is only by the maintenance and strengthening of those fundamentally spiritual ideals which we share in common with our kinsfolk oversea, that this great Commonwealth of Nations can permanently endure.

Whether a Parliament of the Empire will eventually be evolved out of the Imperial Conference, or out of the Judicial Committee of the Privy Council (see p. 51) or at all, is yet another matter which time and a common purpose can alone determine.]

#### COMMITTEE OF IMPERIAL DEFENCE

Following on what has been said above, you might note the fact that in 1909 the Committee of Imperial Defence was formed for the purpose of inaugurating a system of co-operation in military and naval defence between the several States of the Empire. We have seen that this body became amalgamated during the late war with the Cabinet, and that Ministers from oversea were invited to participate in its counsels. In 1920 the Committee of Imperial Defence was once more revived and has again become responsible for the co-ordination of the work of the sea, land, and air forces of the Commonwealth.

Its constitution is flexible, and at present comprises many of His Majesty's Ministers, together with the Heads of the Army, Navy, and Royal Air Force. Its functions are purely advisory, but its task is one of increasing importance.

#### EMIGRATION AND IMMIGRATION

One other point we must notice before closing this chapter. Since the opening of the present century, the population of this country has grown so rapidly and (partly as a legacy

from the war) unemployment has become so widespread that the Government has deemed it necessary to arrange and provide money for the settlement of large numbers of suitable emigrants<sup>1</sup> in the Dominions, where, with industry and ordinary prudence they can secure better conditions of life than they could hope to obtain in the "Old Country."<sup>2</sup>

The departure of so many of those who are physically among the finest of our race, has a serious aspect to those of us who are left behind. The colonies desire only the youngest, strongest, and most enterprising, and refuse admittance to immigrants of weakly or diseased constitution. Our best stocks are being taken, and the worst are left behind on our hands. Whole districts in Scotland are being depleted of a sturdy peasantry whom it should be our endeavour to keep on the land. It can hardly be deemed wise that deer forests should be allowed to exist where men once tilled the soil; or that the pursuit of sport should supplant husbandry. Mr. Seebohm Rowntree—a great authority—states<sup>3</sup> "that there is room on Britain's land for 3,000,000 more workers than it at present supports." If this be so you can at once recognise the importance of organising our home agricultural industries by co-operative schemes, etc., and preventing the emigration of so many excellent and hardworking citizens. Moreover, our food supply would be vastly increased were the soil more intensively cultivated.

Whilst hundreds of thousands of our fellow-countrymen are annually quitting their fatherland, there is, on the other hand, a considerable influx of foreign immigrants, who, under stress of poverty or the unjust treatment which they experience in their native lands, make their way here to enjoy the freedom of person, speech, and action which is denied to them in the countries from which they come. For centuries England has offered a home to the oppressed of all nations. Under our flag they have found freedom of creed, worship, and political belief, and we have welcomed them cordially and given them the protection of our laws, and the privilege of British citizenship. We have always felt proud that Great Britain was regarded by all nations as an asylum for

<sup>1</sup> Under the Empire Settlement Act, 1922.

<sup>2</sup> Further details may be had from the Oversea Settlement Committee, Clements Inn, W.C.2.

<sup>3</sup> *London Evening News*, October 25, 1912.

offenders whose only crime was that they had protested too loudly against the harsh or unjust laws of their own country.

But of late years another class of immigrant has invaded our shores ; people who are thoroughly unsatisfactory—who have, perhaps, been expelled from their own (and perhaps also from other countries) as undesirable citizens, or who have committed some crime and have contrived to escape to this country in order to hide themselves in London. Sooner or later they resume their criminal practices here, with the result that a very large number of offences dealt with in the London Police Courts have been committed by aliens of a vicious and degraded type.

[Though the foregoing was written before the late war it is equally true to-day. The following indictment of this class of aliens was uttered on April 19, 1920, by the Magistrate of the Thames Police Court, to which very many of these undesirables are brought when charged with offences against the law.

“ It is my experience . . . that the alien population which has migrated here is a most undesirable asset. They possess no loyalty to the flag under which they enjoy comforts and liberty unknown in the country of their origin, and they habitually lie and suborn to perjury in this Court. I wish some means could be devised for their exclusion from this country.”]

In addition to these immigrants of criminal tendencies there is an inflow of people whose habits and low standard of living are repugnant to British ideas. They are practically without education, and without any of those attributes which might recommend them as a desirable addition to the ranks of British citizenship. They have never known what freedom means, and patriotism is a mere name on their lips. If any other country offered them a more agreeable asylum, they would leave England as readily as they entered it.

Separated by language, race, religion, thought and customs, from their neighbours, they draw together into almost distinct communities ; especially in the East of London, and in some of the larger provincial towns, where whole districts have assumed the aspect of a foreign city.

These aliens stand outside our civic life, and show little tendency to intermarry and become absorbed into the British race. Indeed, such fusion is not very desirable, as the resulting strain is less capable than the Anglo-Saxon of bearing the weight of Empire. Servile by descent

and instinct, unskilled in any of the industrial arts, useless in time of war, a burden upon the ratepayers in times of peace, they add nothing to the social, economic, political, naval, or military strength of the country of their adoption, and therefore present a difficult problem for British statesmanship.

Unaccustomed to free and representative institutions, after a few years in this country they may and often do become "naturalised" (*i.e.* they obtain the full rights of citizenship) before they have learnt either our language, or the nature or value of the suffrage. Often, too, they disguise their foreign nationality by adopting, when naturalised, some honourable English family name.

To amend matters, in 1905 Parliament passed the Aliens Act<sup>1</sup> with a view to restricting the entrance of undesirable pauper immigrants; but the provisions of this statute are not difficult to evade, and it is not unlikely that further legislation will be required to prevent this country from becoming the "dumping-ground" of the outcasts of other nations. "England for the English" must be the rule of action.

[The foregoing, written in 1913, received speedy confirmation and this further legislation came with a rush. On the outbreak of war in August, 1914, it became immediately necessary to watch and control the movements of our alien population, thousands of whom were of enemy origin. The day after the Declaration of War, Parliament passed the Aliens Restriction Act, under which numbers were interned, whilst others had only to report themselves regularly to the police. Later in the year, another very important Act defined the conditions of British nationality and the status of aliens. Yet other Acts were passed in 1918 and 1919 and 1922.]

The net effect of all these Acts is to make naturalisation as a British citizen more difficult and costly; to curtail the privileges of aliens, and to allow certificates of naturalisation to be revoked for disloyalty or bad conduct. The assumption of any other name except that by which the applicant was known in 1914 is also disallowed.]

### A PRICELESS PRIVILEGE

St. Paul prided himself upon his Roman citizenship.<sup>2</sup> But we have a vastly greater heritage in our citizenship than had any Roman or Greek. The privilege of British citizenship is beyond all estimate. This little book will have failed in its purpose if it has not led you to this conclusion. With

<sup>1</sup> Now repealed.

<sup>2</sup> *Acts* xxi. 39 and xxii. 28.

heartfelt thanks, therefore, you should rejoice in the fact that you are British-born, and heir to such great traditions. It is for you to guard this inheritance reverently, and hand it forward to posterity unimpaired. Say to yourself as Browning did : "Here and here did England help me ; how can I help England ? Say ! " <sup>1</sup>

In the next chapter we will try to point out how each and all of you by loyal and efficient citizenship may help England. To belong to and have a share in the management of the Empire is a glorious right (and each citizen has this), but one also involving a heavy responsibility.

The question is sometimes asked, "Of what use is the Empire to us ?" "Should we not be better off without India and the Colonies ?" Such questions must be answered by others : "Of what value is any great trust or responsibility ?" "Is it better to live a life of selfish ease or one of high and great endeavour ?" We believe that we have a great mission to fulfil—to carry justice, knowledge, and peace into the dark places of the earth, and to lead less fortunate races into the ways of self-control, self-reliance, and self-government. "The British Empire," said Lord Rosebery, "is the greatest secular instrument for good."

We have watched British law and liberty and British institutions implanted in the Colonies, and they have proved eminently successful in promoting the happiness and welfare of the young nations owning allegiance to the British flag. It is because these rising peoples feel that their welfare is due to the possession of free institutions based upon popular sanction, that they remain loyal to the Motherland and to her ancient traditions. The principles of independence, justice, and self-control, which our earliest forefathers brought into England when, a millennium ago, they took possession of the country, are the causes of her present wide development, and of her stability as a world-power. Her children, trained at home in freedom and self-rule, have gone forth into the world strong and fearless, creating wherever they went a Greater Britain, in which they have reproduced the national institutions of the old country, adapted to a different environment, but resting upon the selfsame solid foundations of law and liberty.

The ties that bind the British States into one great

<sup>1</sup> "Home Thoughts from the Seas."

Commonwealth, have, since this book was first written, been cemented by the blood shed in a great Common Cause—the cause of Freedom. The late war was fundamentally a conflict of ideals, those of free peoples as opposed to those of an ambitious autocracy.

The question was asked in the early part of this chapter whether the British Empire was destined to melt away like its predecessors, or whether it contained greater elements of permanence. If you have studied these chapters carefully, you will be better able now to offer some reply to this searching and very difficult question. A Gallic poet named Rutilius came near to the true answer when he said :

*“Quod regnare minus est quam regnare mereris,”*

which may be freely translated as follows : “The extent of your rule is a less matter than your worthiness to rule.”

Something nearer still to the answer will be found in the solemn words of one of the most gifted and eloquent, of the many eloquent and gifted Ministers that the Dominions have sent to our shores ; one who himself endured the hardships and dangers of the war. Said he :—

“The fundamental significance of this war has been the victory of the spirit of the moral, over the material, factors of life. . . . Let therefore this mighty Empire in this great hour of victory, and at the zenith of its power, win a great moral victory, so that the ideals which have shaped the destiny of our great Commonwealth of Nations may become the common heritage of the world. Only then will this war not have been fought in vain, and the Future garner the far-off harvest of our tears.”<sup>1</sup>

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. The Romans boasted that wherever they conquered they established the Pax Romana. Contrast this with the Pax Britannica.
2. The British Empire has been described as a “loose aggregation of autonomous states.” If this be so what is the nature of the Imperial bond ?
3. Some portions of the Empire were obtained by discovery and settlement, some by conquest, some by cession, some by purchase. Give instances of each.

<sup>1</sup> The appeal of General Smuts to the Empire. See the newspapers of July 18, 1919.

4. Does Newfoundland form part of the Dominion of Canada, or Rhodesia part of the Union of South Africa ? If not, can you say why not ?
5. How far should the ideals of English citizenship be pressed upon the people of India and other Eastern nations ?
6. The white people of Kenya wish to exclude Indians. Do you recognise the incongruity of one set of British subjects excluding from their country another set of British subjects ?
7. How would you provide for representation of the Dominions in an Imperial Parliament of the Empire ? How should India be represented ? Where should this Parliament meet ? Could prominent Dominion Statesmen attend the Parliament of the Empire, and yet manage to lead their party in their own Parliaments ?
8. Could or should the British Parliament be controlled in its foreign policy by a Parliament of the Empire ?
9. Why is May 24 chosen as " Empire Day " and how should it be celebrated ?
10. Name the Prime Ministers of the Dominions.

## CHAPTER XVIII

### *THE COMPLETE CITIZEN*

#### THE YOUNG CITIZEN

AND how, you may ask, can young persons begin their work as citizens? They are not of age to sit on Committees or to enter Councils, or to undertake the duties which only older people, with some experience of the world and its affairs, can properly perform.

Quite true. But it would be the most erroneous idea to imagine that citizenship is only for adult life. Let us see how young people can assist in working for their country's good without for one moment neglecting their school work, or the duties of the home.

Two very simple rules will suffice to guide every child into the paths of good citizenship. They are :—

*No one can live to himself alone.*

*Civic life begins at home and in the school.*

Have you ever realised that everything you do, every one of your actions, affects some one else for better or worse? No one—try as he will—can escape this universal law. Science tells us that the shifting of the tiniest pebble alters the balance of the globe; and, in the same way, every one of your actions—even the smallest—may be attended with consequences immeasurably great. If once you grasp this truth, you will realise that every person in the State—however young, insignificant, or obscure he may be—exercises some influence upon those around him. His life and conduct are, therefore, of importance to his fellow-citizens. Your function may be likened perhaps to that of a cog on one of the wheels of some great piece of mechanism. The finest of watches is useless if even one of the little cogs is missing.

## FORMATION OF CHARACTER

If you are well or ill, clean or dirty, brave and truthful or cowardly and false, thrifty or thriftless, it is of consequence to *somebody*—to your parents, or your relations, or your teachers, or your friends. It is impossible to avoid the law that man cannot live to himself alone. Your life either helps forward, or drags down and injures other lives; and if you have any manliness or womanliness in your character, you will desire to help and assist, rather than to distress and injure other people.

The first steps, therefore, towards good citizenship are plain to see. They lie in the formation of your character. To be clean, sober, diligent, honest, thrifty, kind, well-mannered, brave, truthful, and self-reliant is not merely to be of good character. Such qualities are beneficial to your family, and family life lies at the root of our national life. The virtues, therefore, that render their possessor a good son or daughter, a diligent pupil, a delightful friend, a faithful comrade, a trustworthy servant and a loyal subject, are advantageous to the State.

We see, then, that civic life begins in the home and in the school and should show itself in obedience to, and respect for parents and teachers, and in a willing submission to all rules and regulations. The latter are just as necessary for the corporate life of the home or the school, as our laws are necessary for the corporate life of the nation. Hard work at school, and considerate behaviour at home may not seem very high virtues to you, but they are the basis of all good citizenship. The Romans knew this, and you may like to remember that “virtue” is derived from a Latin word, whose meaning is best translated by the English word “manliness.” “Virtue,” or manliness of character, is the bed-rock of all citizenship.

Remember that the State is made up of individuals, each of whom is a source either of strength or weakness. Each unit that contributes to the national efficiency is a welcome addition to the community, whilst every one who fails to develop an average standard of efficiency is a hindrance to his fellows, and very generally a burden to society.

Roughly, therefore, we may class ourselves and every one of our associates either as among the “efficients,” or among the “non-efficients”; that is, among those who tend to

increase the common stock of wealth and happiness, or among those who draw upon and decrease it. Ask yourselves to which class you belong.

The idle, the dishonest, the vicious, the intemperate, the quarrelsome, the shiftless, the spendthrift, and the uncleanly, belong to the latter class. They detract by their conduct and habits from the sum-total of the general welfare, and bring misery and discomfort upon all with whom they come in contact.

#### THE BODY THE TEMPLE OF THE MIND

The foundations of our health are laid when we are too young to take any part or interest in the process. The first year of life is the most difficult to survive. In some of our manufacturing towns the death-rate among infants is terribly high, one child in five or six dying before it attains the first anniversary of its birthday. It is essential, therefore, for the State to concern itself with questions of infant mortality, and with the care of the body. You have learnt that the law now provides medical inspection of school children (see p. 169), and that Health Visitors and voluntary Care Committees charge themselves with the oversight of the health of the little ones who appear neglected and underfed. You have learnt also how largely the State now concerns itself with the physical welfare of school children, safeguarding them in almost every direction, bodily and mentally, thus enabling them, under Providence, to grow up into healthy men and women.

It is scarcely necessary to point out that good health is the best of all possessions. No one—not even the richest—can be happy without good health. See to it, therefore, that you use your body wisely and reverently. ~~The body is the temple of the mind.~~ Excesses of all kinds injure the body, and the mind is weakened in consequence. The gluttonous, the intemperate, the excessive smoker, the self-indulgent, in short, all who abuse their bodily appetites and powers, are equally damaging their mental faculties. Keep your body “fit” therefore by daily exercise; join heartily in the school games—if your strength permits—and develop your muscles as well as your brain. The world wants both, and there is nothing incompatible between physical prowess and a high place in the class lists. Train yourself so that *you* gain command over

your body, and not your body over *you*. Be the "Captain of your soul."

A sound mind in a sound body was recognised by the old Greeks and Romans as a fundamental necessity of good citizenship. By a sound mind is meant a mind well-trained, well-balanced, and well-informed.

### SELF-EDUCATION

Do not think that your education is finished when you leave school. You will find that it is just beginning, and is never finished. In these days of evening schools, polytechnics, technical classes, university extension lectures, free libraries, museums, picture galleries, etc., there is no excuse for remaining ill-informed or uneducated.

Self-education is the best of all education. In your preparation for the battle of life and for the manifold duties of citizenship, arm yourself with sound knowledge. The un-educated—those who have never learnt "how to learn"—do not know what a world of pleasure and profit lies in those wide fields of knowledge open to all who care to wander therein. [Read all that appertains to your trade or profession. Aim at the highest technical efficiency in the work by which you earn your livelihood. But whatever else you read, combine with it some reading of history. History is the only infallible guide to good citizenship. The past experience of humanity furnishes the best of all clues to future action. Do not begin your study of history with the Norman Conquest, but with quite recent events. Then work backward to the earlier periods. History is not a dry study, though it is often taught in an uninteresting manner, and school examinations too often make it a mere matter of names and dates.

History is in reality a long thrilling story which has the superlative merit of being true. You can absorb a great deal of history by reading the Reminiscences or Biographies of great men and women, whilst much valuable instruction can be obtained from the best historical novels.

Master one subject thoroughly, so that you can speak upon it with authority. "Know everything of something and something of everything." Remember, however, that it is not what a man knows that really matters; it is what he *is*; knowledge is a poor thing unless it is accompanied by character. Character

is the steel; knowledge is the edge that enables the steel to cut.

### HOBBIES

Boys and girls, and "grown-ups" too, are all the better if they have a "hobby." It may be music, or sketching, or science, or literature, or it may be carpentry or model-engineering, or again it may be the collecting of stamps or botanical specimens or insects. A hobby is a great resource, and if thoroughly and genuinely studied or practised, it affords a valuable form of self-training. There are many well-known business men who have become, and are looked up to as, high authorities upon geology, entomology, astronomy and other sciences, which they originally took up as hobbies. Others again are fine art connoisseurs, whilst not a few are splendid amateur musicians. In times of great mental stress, or business worry, many a strong intellect has been saved from despair by the possession of some resource in the shape of a "hobby."

### "MANNERS MAKYTH MAN" ✓

Cultivate good manners in your relations with other people. It is no sign of manliness or of independence of character to be sharp, curt, or rudely-spoken in your conversation with others. Quite the contrary. It is a sign of ill-breeding, and of a lack of education. When William of Wykeham founded his college at Winchester more than five hundred years ago, he gave to it the motto which stands at the head of this paragraph, "Manners makyth Man"—a motto which is borne to the present day upon the coat-of-arms of this famous school. The pious and generous-hearted founder knew that gentleness, courtesy, and consideration for others, are among the choicest fruits of education, and that these virtues are the distinguishing qualities of a "gentle-man."

Good manners indeed are a truer test of manliness than a loud, insolent, and uncouth demeanour. The man who under strong provocation can "keep his manners," restrain his temper, and check his tongue, has already conquered a kingdom. He is of finer mettle and is *more manly* than he who loses his self-control and gives way to bluster and vituperation.

Remember this when in after-life you are drawn into political or religious controversy. No subjects arouse deeper

feelings than questions of politics or religion. Ours is a free country in which every man is entitled to his own opinion ; and he is at liberty to urge his views upon others by reasoning and argument. No one is justified, however, in exceeding the limits set by good manners. If cool reasoning cannot turn a man to another way of thinking, it is certain that abusive epithets will not do so. There is an old saying, "It is cold steel that cuts,"—a maxim which you may recollect with advantage whenever you are about to enter into any controversy.

When dealing with the subject of manners as a necessary part of the equipment of the complete citizen, some reference must be made to the existence of a class of people—generally young and ignorant, and sometimes of criminal tendencies—who find a vicious pleasure in the wanton destruction of property intended for the use or pleasure of the public. Such acts as damaging the trees or flowering plants, or seats, in public parks ; throwing broken bottles on the beach ; hacking the cushions in railway carriages ; scribbling or scratching initials upon public monuments ; defiling empty churches, and many other similar insensate or unclean deeds, betoken a diseased mind. Some form of sharp and salutary discipline should be administered to those who thus grossly abuse property designed for common use and enjoyment.

We should each feel personally responsible for that which belongs to the community or for that which is placed at the disposal of the public for use or enjoyment. It behoves us, therefore, to constitute ourselves guardians of all forms of public property, whether in parks, museums, libraries, picture galleries, churches, or elsewhere.

#### COMPULSORY AND VOLUNTARY DUTIES

If you have carefully read the preceding chapters, you will have learnt that a good citizen must not only know many things about the national institutions and the laws under which he lives, but he must also accept certain responsibilities and perform certain duties for the benefit of the community as a whole. Some of these duties are compulsory, others are voluntary. The law, for instance, compels a man to pay his rates and taxes ; to serve on juries ; to clothe, educate, and vaccinate his children ; to insure his servants ; to register the birth and

death of any member of his family ; to keep his property in a sanitary condition ; as well as sundry minor duties which you will discover for yourself when you acquire the full status of citizenship. In all other European countries a man must also undergo a rigorous military training, and qualify himself as an efficient soldier. In addition to these positive duties laid upon the citizen by the law, he is also forbidden to do certain things, which, though not morally wrong, are nevertheless contrary to the interests of the people. Thus, for instance, no one may obstruct a highway by throwing down stones, bricks, or refuse. The law also restrains a man from carrying on in his house any trade or business which is a nuisance to his neighbours. He may not even play a musical instrument late at night if thereby he hinders the sleep of the people next door. The law, you see, endeavours to keep people from behaving in a manner which adversely affects the life, safety, health, or comfort of others. The ancient Romans, who were great law-givers, expressed this idea in their legal phrase, "Sic utere tuo ut non alienum laedas," which means "Use what is yours so as not to injure anyone else." And if you think of it, this maxim is embodied in the Golden Rule, the central principle of the Christian religion, "to do unto others as you would that they should do unto you." There is, indeed, no higher rule of citizenship than this all-embracing command.

To be a law-abiding person is excellent, but it is one side only of good citizenship. The Complete Citizen is he who is ready and willing to undertake some voluntary services for the good of his neighbours, in addition to the compulsory duties enforced by the law, services for which he need expect few or no thanks, and no recompense save in the inward satisfaction of an honourable task faithfully accomplished. Most of you can do something to promote the general good, even though you may be very young and still at school.

#### CITIZENS BUSY, SICK, OR APATHETIC

We must recognise that some people have to work so long and so hard for a living, that they cannot find strength or time for anything else. They are doing their part as citizens in toiling for their own support, and for that of their families. We cannot ask them to add to their arduous labours by engaging in any form of voluntary service.

There are those again who are hindered by sickness or disease from undertaking any share of the voluntary duties of citizenship. We should be reminded by their infirmities that much disease is due to damp, dark and insanitary houses, impure water and food, neglect of the elementary principles of health, etc.—all of which causes it will be the care of the citizens of the future to remove from our midst. But whatever we may do to alleviate the sum-total of human suffering, there will always be poverty, disease, and misfortune. There will always, therefore, be scope for charitable work, and room for the display of love and sympathy to those who have fallen by the way. However good and wise our laws may be, they can never take the place of that divine unselfishness which has been embodied for all time in the parable of the Good Samaritan.

Lastly, there are people too selfish or too idle or indifferent to make any personal effort in the way of social service, even though they have time and means at their disposal. The giving of money is a poor substitute for personal effort. Indeed, in many branches of social work such as attendance on Councils, Boards, Advisory and Care Committees, etc., it is sacrifice of time and thought that is wanted rather than gifts of money. The citizen who *could* engage in this work but declines because it would interfere with his pleasure<sup>1</sup> or comfort, is not discharging his obligations to society by simply sending a cheque or a postal order for a sum which he may possibly not miss. Remember always that the Complete Citizen must be prepared to render social service *in person*, and not by deputy, otherwise he is shirking his social obligations. Apathy and indifference to the calls of civic duty are inconsistent with good citizenship. Indeed, there can be no surer indication of national decay than the apathy or indifference of a people to their public interests.

#### YOUR DEBT TO YOUR COUNTRY

Obligations are debts, and we each owe a debt to our country. This debt we are bound in honour to repay. To have been born a British child is a priceless privilege. No other nation confers so rich a heritage upon its children.

You must read in your histories of the long and painful

<sup>1</sup> Excessive devotion to sport may easily degenerate into bad citizenship.

struggles to secure the spacious freedom which you now enjoy, and which some of you in ignorance of its great worth perhaps esteem too lightly. Freedom to worship according to the dictates of conscience ; freedom to speak out one's thoughts upon political and religious platforms ; the freedom of the press ; the freedom of the ballot-box ; freedom to move from town to town, and from England to the Colonies or abroad without interference ; freedom from a long and arduous military service ;—these are only a few of the privileges which many other nations have still to secure for themselves.

Then think of the many other birthrights of every English child—the right to free education ; the right of being medically cared for when too young to understand the importance of sound teeth, clear eyesight, and straight limbs ; the right to wholesome conditions of labour in the factories and mines ; the right to be insured in after-years against sickness and accident and (in some trades) against unemployment, and against want in old age. Each decade sees a further addition to our privileges and rights. Advance is slow, but sure. The ideal towards which we should strive is to secure to every *honest and faithful worker* in the community the right to a reasonable share of leisure, and of the wealth that he helps to produce, and a large share of health and happiness. There ~~should~~ be—and if you all combine to work for it, there *will* be—no possibility in succeeding generations of a useful citizen having to live in unwholesome surroundings or in degrading poverty. Meanwhile you are in debt to your country for the privileges and for the rights which you already enjoy.

Millions of children now growing-up into manhood and womanhood are deeply indebted to the State—which simply means to their fellow-citizens—for the abundant care that, as described in earlier chapters, has been bestowed at great expense upon their education and physical welfare. It is a question often raised whether the State should permit such service to go unrequited. Certain it is that there is a moral if not a legal obligation resting upon each of those who has thus benefited to repay this debt. See, then, that you discharge that obligation by some form of social service, whereby the lot of others less fortunate than yourself may be brightened and bettered.

## THRIFT

It is the duty of every citizen to exert himself so as not to become a burden on others. Thrift is a means to this end, and should, therefore, be encouraged. The State offers many inducements to thrift. Through the Post Office a child may begin to save pence, and the Post Office Savings Bank offers a perfectly safe deposit for savings, which can always be withdrawn (at any Post Office in the Kingdom) in time of need. Through the Post Office also, a man may buy an annuity or invest his savings in securities like "Consols," etc., the interest upon which is guaranteed by the State. Thrift should never be allowed to degenerate into miserliness—one of the most deplorable of vices.

## WEALTH AND CITIZENSHIP

Some people there are, unfortunately, who, whilst conscious of nobler ends, deliberately choose the baser aims of life, and shirk every and any form of social service that involves self-denial or self-sacrifice. They spend their days in the pursuit of pleasure. Such citizens are far more dangerous to the State than the most violent anarchists. They consume but do not produce. The citizen of the future will certainly have to justify his existence by some form of work that tends to the general good—otherwise he will be held to forfeit the respect and the protection of the community to whose welfare his life contributes nothing.

The possession of great wealth carries with it great power and therefore great responsibilities. Unless this power is wisely exercised and the responsibilities are duly discharged, there is a growing tendency to regard the owner of a vast fortune as an enemy of society. The millionaire with high ideals of his stewardship, who looks upon his wealth as a trust to be faithfully administered, can be a blessing to the community in which he lives. On the other hand, a Croesus who misuses his gains in senseless luxury is a curse to society. He debases the whole tone of the national life.

It is sometimes imagined by those who have not studied political economy that a rich man is benefiting the community when he keeps dozens of servants, and expends extravagant sums in useless display. People are wont to say that "he is

circulating money," and thereby "helping trade." Nothing is further from the truth. A few individuals may profit, but the rest of society suffers. To "throw money about" is a spurious form of helping trade. These things may not at first seem clear to you. They need close study for complete apprehension. Some maxims, however, you can remember, viz. "Want is not cured by Waste"; and that "One Worker is worth many Spendthrifts." The following illustration may assist you to understand the matter.

If a millionaire were to give to every person in London a half-crown, he would be reduced to poverty, and you would find, a few days later, that all the half-crowns were spent, and that no one was any better off. If, however, he had spent the money in building factories, and in establishing a great industrial business employing thousands of people, each of these persons might have been permanently enabled to earn a good wage, whilst the millionaire would at the same time be none the poorer. In circulating his money in that way he would be conferring real benefit upon the community, whereas in giving it away in charity he would have done no lasting good, but possibly some harm; for indiscriminate charity is the worst form of generosity. It tends to create paupers, rather than a class of steady self-reliant workers.

He only, whether rich or poor, is a good citizen whose life's work is fraught with usefulness to the State. We do not mean by this that all our time and strength should be given to work among the poor and sick, or attendance on Councils and Committees. That would be a very one-sided view of citizenship. There is a vast amount of necessary work to be done in the world. The fields must be ploughed, the harvest gathered, sheep and cattle must be reared, railways must be constructed and worked, houses must be built, cloth must be woven, leather must be tanned, food must be cooked, the home must be tended, and the million wants of civilised life must be met by the organised activity of millions of workers. The lowly ploughman who performs his duty efficiently and conducts himself soberly and honestly, is as good a citizen as any in the land. His work is absolutely necessary to society, and though he may be a poor and uninstructed person, looked down upon by people who do not understand what citizenship means, he is worth more to the community than any idler, however rich or well-born. He personifies the dignity of labour; for he is

serving others whilst engaged in "the daily round, the common task."

Good citizenship does not therefore depend upon the possession of wealth, power, or social position. It is a matter of personal character and worth, of faithful fulfilment of duty, and of enlightened ideals of patriotism. In Ignorance we find the greatest foe of good citizenship, in Education the greatest hope. The wise saying of the Greek philosopher, who lived nearly 2000 years ago, is as true to-day as when it was uttered :—

" The foundation of every state is the education of its youth."

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. Discuss the sayings—"The Price of Freedom is Eternal Vigilance," and "Personal Liberty is founded upon Morality and Education."
2. In the matter of the freedom of the individual how far in your opinion should it be open to anyone in a great national emergency to refuse (a) military service ; (b) non-combatant service ?
3. "Liberty of Speech," and "Liberty of the Press," are two of the great privileges of British citizenship. Distinguish in this connection between "liberty" and "licence."
4. Many ex-service men found after the Great War that they were excluded by Trade Union Rules from entering the trade which they wished to adopt. How far, if at all, is this regulation compatible with the Freedom of which we spoke on p. 245 ?
5. "Poverty is a remediable evil." If so, describe some of the means by which in your opinion poverty might be alleviated or abolished. Study Chapter XVI. before answering.
6. Give instances of some recent acts of great heroism. How should such heroism be rewarded ? Is it a part of good citizenship to risk your life for that of another ?
7. Is violence permissible to gain political ends ?
8. If a man of independent spirit objects to living on the charity of others, can he consistently ask for a State pension without any contribution on his own part ?
9. How would you propose that the State should deal with (1) the "work-shy" ; (2) the unemployable ; (3) the regular tramp ; (4) the genuine out-of-work unskilled labourer ; (5) the habitual drunkard ?
10. Describe the social work of any "Missions" or "Settlements" with which you are acquainted.
11. Discuss the value of Thrift in the social economy. How far is Thrift likely to be affected by the operation of Old Age Pensions and Unemployment Insurance ?
12. What does the word "gentleman" mean to you ? Upon a rough cross left amid the Antarctic snows were inscribed these simple words : "Hereabouts died a very gallant gentleman, Captain L. E. G. Oates, Inniskilling Dragoons, who, on their return from the Pole in March,

1912, willingly walked to his death in a blizzard to try and save his comrades beset by hardship." Could any fitter word than "gentleman" be found to describe the hero thus commemorated? (See the story of the Scott Antarctic Expedition.)

13. To what extent in your opinion is the housing problem related to the temperance question? What are the influences of light, air, and beautiful surroundings upon character?

## CHAPTER XIX

### *LONDON AND LONDONERS*

#### WHAT IS LONDON ?

THE Local Government of the Capital City of the Empire differs so materially from that of our provincial towns that a separate chapter is required to explain the nature and scope of the many councils which manage the municipal affairs of the London area.

We have purposely used the term "London area," because, unfortunately, no one definite district answers to the name of "London." There are, in fact, many "Londons." At the centre there is the old historic City of London which was once confined within walls, as the names of its many gates—Ludgate, Moorgate, Aldgate, etc.—still testify. This area, covering approximately one square mile, and containing about 20,000 residents, is governed by a very ancient and famous body, of which we shall shortly have more to say, viz. the Corporation of the City of London, at whose head is the Lord Mayor.

Encircling the city lies a large district about 116 square miles in extent, containing  $4\frac{1}{2}$  million people, and known by its Parliamentary name as the "County of London." This is "London" number two. Instead of being governed by one single municipal council like the old City, this district is cut up into 28 Boroughs, each with its own Borough Council; whilst over them all, as supreme authority for the most important municipal work, stands the London County Council.

The Old City and the County of London taken together form an area known as the Metropolis. No word is more loosely used than "metropolis." It is generally regarded as being the equivalent to "London." Strictly, the word should only be applied to the area above stated.

Outside and enclosing the County of London lies a deep belt of country, in parts thickly populated, elsewhere open fields or woodland, to which has been given the name of "Outer London," and in which no less than 142 Municipal Councils and Boards exercise authority.

If the word "metropolis" has to most people a vague significance, still more is the term "Outer London" devoid of definite meaning. Nevertheless, it is capable of definition, and as clear ideas of the area concerned are essential to any understanding of London's problem of self-government, we can arrive most speedily at a definition of "Outer London" by first dealing with

#### "GREATER LONDON"

The Metropolitan Police (of whom we shall speak later) have a very large district to patrol and protect, extending roughly from Hatfield on the north of London to Godstone on the south, and from Romford on the east to Staines on the west—about 700 square miles all told. This area, known as the Metropolitan Police Area or "Greater London," is defined as including every parish, the whole of which is within 15 miles of Charing Cross, or any portion of which is within 12 miles—always excluding the old "City." This is "London" number three.

There are still other areas to which the name "London" is indiscriminately applied. Thus the "London" supplied by the Metropolitan Water Board is a different "London" from that included within the jurisdiction of the Central Criminal Court, whilst both of these differ from the "London" Postal Area, and from the "Administrative County of London," about which you need not trouble yourself at this stage of your progress.

It may assist in remembering the more important of the several "Londons" if you describe a small circle about the size of a three-penny piece and colour it red. With the same centre describe a circle of about  $1\frac{1}{2}$  in. radius and colour blue the portion that envelops the red area. Describe another concentric circle with a radius of (say) 3 inches and colour this outer ring green. We have now in appearance a small target of three colours—the red "bull's-eye" which may be marked "City of London," the blue portion "County of London," and the surrounding green ring "Outer London."

The blue and red portions can then be regarded as forming together the "Metropolis,"<sup>1</sup> whilst the blue and green together comprise "Greater London." As the latter is the area patrolled by the Metropolitan Police, it is also known as the Metropolitan Police Area. "Outer London," for which we are seeking a definition, may thus be described as that part of Greater London which lies *outside* the Metropolis, but *inside* the Metropolitan Police Area.

It can then be further remembered that within the central (red) circle *one* single municipal authority holds sway, viz. the City

<sup>1</sup> The "Metropolis" was endowed by the Local Government Act, 1888, with the somewhat confusing name of "The Administrative County of London."

Corporation ; within the middle (blue) portion 29, viz. 28 Borough Councils and over them all the London County Council ; whilst in the outer (green) ring are to be found no less than 142 Municipal Councils and Boards of varying degrees of importance. It is our task, now, very briefly, to survey these numerous Municipal Authorities, and by reason of its importance and historic interest, we will deal first of all with the City Corporation.

### THE CITY CORPORATION

The Corporation, which consists of the whole of the Citizens or Freemen of the City of London, is controlled by the "Common Council"—the most ancient municipal body in the Kingdom. The Common Council comprises 26 Aldermen, with the Lord Mayor at their head, and 206 Common Councillors. The Aldermen and Councillors are elected by the various Wards into which the city is divided. Aldermen, when once elected, hold office for life, whereas the Common Councillors are re-elected yearly on St. Thomas' Day, December 21. Some of the Wards into which the square mile of the city is apportioned bear very quaint names, *e.g.* the Portsoken, Cordwainers, Candlewick, Vintry, and Bassishaw Wards. The electors must be rate-paying householders before they can vote at a "Ward-mote," as a meeting of the electors is called.

The Common Council discharges the ordinary duties of a Borough Council, *e.g.* it maintains a police force, it paves, cleanses, and lights the streets of the "City," sees to the drainage of the houses, and performs the duties of a Health Authority. In one or two matters the Common Council has power extending beyond the City boundaries. Thus it is the Market Authority for the whole area contained within a circle of 7 miles radius with the City as centre, and the Sanitary Authority for the whole of the Port of London.

The Common Council is also a County Council for its own square mile, and exercises all the powers of a County Council except those relating to elementary education, which is in the hands of the London County Council. The Lord Mayor is Lord-Lieutenant of this small but important County.

### THE LORD MAYOR

The Lord Mayor is elected on September 29 at the Guildhall by the "liverymen" (see p. 254) of the City Companies, and comes into office on November 9, on which day he goes in procession ("Lord Mayor's Show") to the Law Courts, there to be "sworn in" before the Lord Chief Justice of England. The same individual may be chosen again and again for the Mayoral office. Thus Sir Richard ("Dick") Whittington was "thrice Lord Mayor of London," in reality four times, viz. 1397, 1398, 1406, and 1419.

As head of the Corporation, the Lord Mayor presides over the "Aldermen and Commons of the City of London in Common Council assembled." Great dignities are showered upon the Lord Mayor during his period of office. He is always knighted by the King and sometimes receives a baronetcy. His high temporary rank is denoted by the earl's robe he is entitled to wear when meeting the Sovereign. He is, during office, a member of the Privy Council and is therefore addressed as "Right Honourable." He is officially informed of the death of the Sovereign and is charged with the duty of conveying the news to the City. He is summoned to attend the taking of the Oath by a new Sovereign on his accession, and at the Coronation is entitled to be present as Chief Butler. The Lord Mayor is not only Lord Lieutenant of the City but also its Chief Magistrate. He, or an Alderman, must be present on the Bench during Sessions at the Central Criminal Court (see p. 102)—a relic of olden days, when the Lord Mayor and Aldermen sat as judges at the Old Bailey.

During his year of office the Lord Mayor resides at the Mansion House and there dispenses a lavish hospitality. A visit to the "City" is a usual part of the programme of all foreign monarchs when sojourning in this country as guests of the King, and it is then customary for the Lord Mayor and Aldermen to entertain these distinguished visitors at luncheon in the ancient Guildhall—one of the most interesting civic buildings in existence. It is at the Guildhall also, on November 9—Lord Mayor's Day—in accordance with ancient custom, that His Majesty's Ministers are feasted sumptuously under the presidency of the new Lord Mayor.

Nowhere, in short, will you find so ancient and remarkable a Council, with so long and unbroken an existence, and with so many immemorial rights, as that which rules the square mile known as the "City," nor does the civic life of any country afford a more picturesque and interesting figure than that of London's Lord Mayor.

#### THE CORPORATION COMMITTEES

The Common Council divides itself up into a large number of Committees, each of which supervise some branch of municipal work. Thus one very important Committee manages the great markets of London—Smithfield, Billingsgate, Leadenhall, etc., whilst another sees to the maintenance of the City bridges. Not very many years ago, this Committee built the Tower Bridge at the cost of one million sterling, and are now projecting another, which may cost even more.

The City Corporation has for a long time been a generous supporter of higher education. The City of London School for Boys, now housed in a fine building on the Embankment, is an

institution associated for centuries with the Corporation, having been founded out of funds left in 1442 by John Carpenter, a famous Town Clerk of the City. Adjacent to the Boys' School is the School for Girls, erected in recent years out of a bequest to the Corporation by William Ward of Brixton. These excellent schools are managed by one of the Corporation Committees, whilst the Gresham College in Basinghall Street, the Guildhall School of Music in Tallis Street, the Guildhall Library, Museum and Art Gallery are under the control of still other Committees.

Londoners are therefore indebted to the City Corporation for many valuable educational advantages, whilst, as will be pointed out immediately, the Livery Companies have also provided numerous facilities in the way of trade and technical instruction.

One of the finest objects to which the City Corporation has devoted its great wealth during recent years is to the purchase of large open spaces or "lungs" within or near the London area. First among these stands Epping Forest, a splendid stretch of natural woodland in Essex, acquired in 1882 by the Corporation at a cost of nearly one quarter of a million sterling, and dedicated by them for the use of the public in perpetuity. Another gift to the public is a tract of 77 acres at West Ham, which has been converted into a fine recreation ground for the toilers in this poor and crowded part of London. Among other magnificent open spaces secured to the public through the munificence of the City Corporation are Burnham Beeches in Buckinghamshire, Coulsdon and other Commons in Surrey, West Wickham Common in Kent, Wanstead Park to the north-east, Highgate Wood to the north, and Queen's Park to the north-west of London.

#### THE LIVERY COMPANIES

In olden times the City Livery Companies (or Guilds to give them their ancient name) played an important part in London's commercial life, by supervising the work of their respective craftsmen, by suppressing fraudulent practices, by encouraging the apprenticeship system, and by educating the children and providing for the widows of the poorer members of the Guild.

In consequence of the distinctive dress worn in connection with the different trades, the Guilds were subsequently called "Livery" Companies—the name they bear to this day.

Many of the Livery Companies in the course of the centuries grew immensely rich and built fine Halls, where they met—and still meet—to transact the business of the Company, and to enjoy the banquets for which they have ever been famous. In recent times, however, the Guilds, or Livery Companies, have lost contact with the trades in connection with which they were originally founded, and at the present day, membership of these ancient

Companies depends upon quite other considerations than nominal community of trade interests.

The 12 greatest of the 77 surviving Livery Companies are the Mercers', Grocers', Drapers', Fishmongers', Goldsmiths', Skinners', Merchant Taylors', Haberdashers', Salters', Ironmongers', Vintners', and Clothmakers', all of whom are in possession of splendid halls and great private revenues.

In recent days the Livery Companies have disbursed large sums upon all manner of educational and charitable objects. In promoting technical instruction, they have been specially active. In 1878 the Corporation and some of the wealthier companies combined to found the City and Guilds of London Institute, whose City and Guilds College at South Kensington, Technical College in Finsbury, and Art School in South London, are doing admirable work for technical education in the metropolis. The Goldsmiths' Company also, out of their own revenues, have built a fine Technical Institute at New Cross (opened in 1891) and set aside funds for its maintenance.

Some of the Livery Companies still exercise privileges of importance to the general public. Thus the Fishmongers appoint inspectors—"fishmeters" they are called—to attend the metropolitan markets and there examine all fish offered for sale. They can seize and condemn unwholesome fish and prosecute the guilty vendors.

To the Goldsmiths' Company the whole country is indebted for maintaining the standard of fineness of gold and silver plate. The articles to be "assayed" are sent to Goldsmiths Hall, where they are carefully tested and, if up to the requisite standard, are stamped with the Hall-mark—a guarantee of world-wide value. In similar manner the Gunmakers' Company is entitled to test and approve and mark gun and pistol barrels made in London or within ten miles thereof.

#### THE CITY'S LAW COURTS

From time immemorial, the City has had its own Criminal and Civic Courts. The Central Criminal Court (the "Old Bailey") is now regulated by an Act of Parliament passed in 1834, and is the criminal court not for the City only, but for an area of some 420 square miles comprising the Administrative Counties of London and Middlesex, and parts of Essex, Surrey, and Herts. Twelve Sessions are held here annually.

The Lord Mayor's Court which is held at the Guildhall and has jurisdiction in the City in civil cases, ranks in dignity and authority with the High Court of Justice. It is presided over by the Recorder, or in his stead by the Common Serjeant.

This City of London Court contained in a building adjacent to the Guildhall, may be briefly described as the "County Court" of

the City of London, where actions for the recovery of debts and claims not exceeding £100 are tried.

There are two Police Courts in the City—one at the Mansion House and one at the Guildhall—over which the Aldermen in turn preside.

#### THE CITY POLICE

The Corporation possesses its own Police Force, a picked and highly paid body, whose duty it is to protect and watch over life and property within the square mile of the City. The Force is under the control of a Commissioner, and is maintained entirely at the expense of the Corporation.

The manner in which the City Police control the traffic at the most congested points in the centre of London, excites the admiration of all visitors to the Capital. Their politeness in answering questions and in assisting the inquirer is equally the subject of eulogy on the part of all strangers from abroad.

#### THE LONDON COUNTY COUNCIL

If by reason of its antiquity the City Corporation is entitled to the first place in any account of the local government of the Capital, the London County Council, though of recent origin, must be ranked as the most important of all the administrative Authorities in the metropolis by reason of the large area (116 square miles), and vast population (4½ millions) over which it exercises its powers. The County Council for London has, indeed, a greater number of people to care for and larger revenues to raise and disburse than many an independent sovereign state. It is the greatest municipal council in the world.

The London County Council was constituted under the Local Government Act of 1888, and held its first meeting on March 21, 1889. The Council consists of a Chairman, 19 Aldermen, and 118 Councillors. The latter are directly elected every three years in March, by the ratepayers of 58 electoral divisions. They all retire at the end of the three years for which they were elected, and if desirous of continuing in office, must seek re-election. The Councillors elect the Aldermen. The term of office for the latter is six years.

The magnificent County Hall lately erected on the Surrey side of the river, between Westminster and Charing Cross Bridges, now provides a worthy home for the whole of the Council's many departments.

Though politics are supposed to be excluded from our local parliaments, it is practically impossible to deprive the election of a large body like the London County Council of all political bias;

with the result that three parties exist in the Council—the “Progressives” and “Moderates”<sup>1</sup> (roughly corresponding to the Liberals and Conservatives in Imperial Parliament) and the Labour Party. In most of their work, however, these political divisions disappear and all parties labour strenuously for the good of London.

The London County Council bears a close resemblance to the other County Councils save that in several respects its powers are wider than any of the provincial County Councils. To begin with, the Council is the central authority for Public Health in the metropolis, and as such has charge of the main drainage system of London over which many millions sterling have already been spent, with the magnificent result that London is now one of the healthiest places in the world. To keep watch over the health of the inhabitants, the Council maintains a great number of Sanitary Inspectors, who visit factories, workshops, overcrowded tenements, etc., and report to the Council upon their sanitary conditions. The Council also employs a number of women as Health Visitors to give advice to mothers upon the proper care and management of young children.

The Council is the Highway Authority for the metropolis, and in that capacity maintains the *main roads*, as well as the river bridges and subways as far as these lie outside the City limits. For the *streets*, as we shall shortly learn, the Borough Councils are responsible.

Street improvements on a large scale fall within the range of work of the County Council, and many and great are the improvements already accomplished. Thus, “Kingsway,” the fine new thoroughfare connecting the Strand with Holborn, and “Aldwych” at the southern end, are among the noteworthy achievements of the Council. The tunnels under the Thames at Rotherhithe and Woolwich may also be mentioned in this connection.

The sweeping away of slum areas is a further duty falling upon the Council, and one which involves the corresponding duty of housing the workpeople who are thus turned out of their homes. Many fine blocks of artisans’ dwellings have been erected by the Council to accommodate those who would otherwise have been rendered homeless by the demolition of insanitary house property. The workpeople must live *somewhere*, and if pushed out of one overcrowded district, they drift into another and begin again to create fresh slums. The County Council has therefore spent large sums in providing healthy homes at reasonable rents for the working classes at Tooting, Tottenham, Croydon, Hammersmith, and elsewhere.

#### TRAMWAYS, FIRE BRIGADES, ETC.

The County Council is the Tramway Authority for the metropolis. The electric current by which the large and comfortable cars are

<sup>1</sup> Sometimes styled “Municipal Reformers.”

driven, is generated at a central station at Greenwich—the largest municipal generating station of its kind in the world.

The London Fire Brigade is also under the management of the County Council, and its splendid efficiency well illustrates the advantage of having such an indispensable service under central control. What would be the chance of dealing successfully with a large fire in any part of London if each parish, as formerly, were required to provide the apparatus and to be solely responsible for extinguishing fires within its own area?

Among miscellaneous duties, the County Council appoints inspectors to visit shops, etc., and test scales, measures, and gas meters. The importance of this work may not be at once appreciated. If the public could not trust to the justness of the weights and measures by which goods are sold, the whole of our trade would be disorganised. From the very earliest times, insistence has been laid upon correct weighing and measuring, and the Mosaic Law is in several places emphatic on this point (see Lev. xix. 35, 36).

It falls upon the County Council also to license theatres, racecourses, motor cars, common lodging-houses, etc., to see that new buildings have proper provision for fire prevention and for means of escape. It is their duty also to maintain several asylums for the insane, as well as Industrial Schools for children who are in danger of entering upon criminal habits.

In their fine efforts to render London a more beautiful as well as a healthier city, the Council has provided numerous parks and open spaces (in addition to those secured by the City Corporation) and now maintains some 118 open spaces, totalling over 5,000 acres, nearly one half of which have been bought or otherwise acquired since 1888, when the Council came into existence. The purchase and upkeep of these valuable "lung spaces" is, of course, a costly business, but no money has been better spent than that which has secured for ever to the people of London these recreative areas, where children can play in safety and where young and old alike may breathe a sweeter atmosphere than would otherwise have been possible for them.

#### EDUCATION

Though we have left to the last place the consideration of the Council's work in the field of education, it is certain that of all the responsibilities placed upon the shoulders of the London County Council, the provision and oversight of education in the metropolis is the greatest.

By an Act passed in 1903 the Council has been made the Authority in the metropolis for all branches of education, and the stupendous task represented by this simple statement of fact is being nobly discharged by the Council's Education Committee. Theirs is a

herculean task. In about 600 Council schools and 400 non-provided schools some three-quarters of a million children are receiving elementary education under the oversight of the Council.

Secondary Schools, Technical Institutes, Training Colleges, and Special Schools for blind, deaf, and defective children are also provided by or supported by the Council, whilst Evening Classes and "Institutes" are available for those who wish to continue their education after working hours.

The Council employs thousands of teachers and expends many millions sterling annually upon education alone, about half of which money comes from the State, and the rest out of the pockets of the ratepayers. Such vast figures enable one to appreciate the magnitude of the educational work that the Council is performing for the citizens of the metropolis.

No other municipal authority in the Empire can compare with the London County Council in the extent of its revenues or in the magnitude of its responsibilities. The population over which it exercises its powers is nearly equal to that of Australia, and its financial dealings are upon the scale of a sovereign state rather than of a local council. Every Londoner, therefore, owes a debt of thanks to the men and women on the Council who, without pay or reward, give so unsparingly of their time, thought, and strength to the service of their fellow citizens.

It is a high tribute to the character of this Assembly that not once since it was constituted and charged with the expenditure of millions annually, has any serious imputation of corrupt motive ever been sustained. The value of such an example of purity in municipal government cannot be over-estimated. Not merely does it do credit to the metropolis; it establishes a standard of civic conduct for the whole country and for the Empire.

#### OTHER COUNCILS AND BOARDS

In 1899 Parliament divided the "County of London" (see p. 251) into 28 Metropolitan Boroughs and placed over each Borough a Council, and made it responsible for certain municipal duties of a local character. The Borough Councils have each their Mayor and Aldermen, Councillors, Town Hall, and staff of officials, and are elected in precisely the same way and on the same dates as the provincial Town Councils. Such duties as paving, lighting, and cleansing the streets within their area, the removal of refuse, inspection of dairies, etc., fall upon the Borough Councils, whereas the tramways and street improvements and other matters which affect the metropolis as a whole, come within the scope of the London County Council.

The Metropolitan Borough Councils are thus not quite equal to

the Town Councils of the big towns in the provinces in the extent of their powers or responsibilities. For example, the County Council is entrusted with the maintenance of the main roads and main sewers of the whole of the metropolis, the Borough Councils maintain the smaller thoroughfares and look after the drainage of the houses and streets in their respective areas.

Together with the City Corporation, the Borough Councils are the sole "rating authorities" in the metropolis. The County Council and certain other bodies of whom we shall shortly speak, do not levy rates on their own account. They "issue precepts" (i.e. make a demand) for the sums required upon the Borough Councils, and the latter then levy the rates accordingly.

Many people talk of the rates as though they were cruel and unjust exactions which a long-suffering people were compelled to pay, but for which they got nothing in return. That is a very unjustifiable and uninformed view to take upon the subject of rates. The rates are payments made by all for the good of all, and represent what can be done by co-operative effort. The actual benefit each ratepayer derives from the rates is out of all proportion to the amount he contributes. Let any one who doubts this ask himself what he would have to pay individually for such indispensable services as are rendered by the municipal councils to London's residents collectively.

If each householder had to see to the paving and cleansing and lighting of the portion of the road in front of his house, to arrange for watchers to protect him at night from burglars, to fetch water from the nearest pump for all the household requirements, to teach his children, to provide his own conveyance in place of the municipal tramways, to test the milk and butter and other foodstuffs upon which he subsists, for possible adulteration, etc., he would soon complain of the tremendous expense to which he was put for the lack of those municipal services which, with numerous others not here mentioned, he gets in return for paying his rates.

Whilst it is right and proper to watch over the expenditure of the ratepayers' money and to see that full value is obtained without extravagance or waste, there is nothing to be said for the unenlightened views of people who are always crying "down with the rates."

#### THE LONDON GUARDIANS

We have seen that within the Administrative County<sup>1</sup> no less than 30 highly important municipal councils exercise authority, viz. the City Corporation, the London County Council, and 28 Metropolitan Borough Councils. These are, however, by no means all the public bodies in the metropolis entrusted with municipal

<sup>1</sup> See note on p. 251.

work and empowered to spend the ratepayers' money. There are, for instance, the Boards of Guardians elected regularly by the ratepayers (or by such of them as take the trouble to vote), to administer the poor law, *i.e.* to relieve poverty, to manage the workhouses, poor law schools, etc.

The Guardians are nowadays regarded as almost superfluous bodies, as much of the work that ought naturally to fall to them, is being done by other authorities. For example, the feeding of necessitous children has been allotted by Parliament to the Education Authority which (as already learnt) is the County Council in the case of London. Then, too, the provision of Old Age Pensions by the State has relieved the Guardians of the care of many old folk who would otherwise have to be provided for in the workhouse. The National Health Insurance Act has done much to diminish the number of persons who might in times of sickness require poor relief. As a consequence, it is now asked whether Boards of Guardians are any longer necessary, and whether it would not be better to transfer the whole of their duties to a Central Committee of the County Council, assisted by Local Committees of the Borough Councils. Whether this or some other proposal is ultimately adopted, it is probably true to say that the days of the Boards of Guardians are numbered, and that Parliament will before long set up in London some Central Authority into whose hands will be concentrated the general oversight of all matters relating to "Assistance of the Poor."

#### THE METROPOLITAN ASYLUMS BOARD

is a body set up by Parliament to undertake certain poor law work which could not be properly done by each Union separately, such as the erection and control of asylums for imbeciles, fever and small-pox hospitals for pauper patients, convalescent homes for sick workhouse children, etc.

It is here worth noting that the Metropolitan Asylums Board is not elected directly by the ratepayers, and though it spends the ratepayers' money, the ratepayers have no direct control over its expenditure. This lack of control by London's ratepayers over much of the municipal expenditure, differentiates the government of the metropolis from that of every provincial city. It would stimulate Londoners to take a much keener interest in their municipal government if they were given the same degree of control over the expenditure of the rates as is enjoyed by the citizens of (say) Leeds or Liverpool. The inability of the ratepayers to influence by their votes the spending of the money which they contribute to the rates is the cause of much apathy among Londoners to the calls of civic duty.

## METROPOLITAN WATER BOARD

Yet another Board must be mentioned, because it is responsible for one of the most important of all municipal services, viz. the supply of water to London's millions.

The first care of every municipal authority ought to be the provision of a copious supply of pure water. Whereas in the provinces, the great towns have, almost without exception, provided themselves with a municipal water supply, the metropolis was until quite recently dependent for its drinking water upon private companies. In 1902, however, an Act of Parliament established a body called the "Metropolitan Water Board," which was empowered to buy out the great and powerful private water companies. The purchase was effected at a cost of very many millions sterling.

For domestic purposes, the Board charges a percentage on the rateable value of the houses it supplies. If the Board's revenue does not balance its expenditure, the Boroughs and other Councils have to make good the loss out of the rates. As the Metropolitan Water Board is not directly elected by the ratepayers, we have here yet another instance of "taxation without representation"—so frequent a characteristic of London's system of self-government.

## THE METROPOLITAN POLICE

In the great municipalities in the provinces, the police are under the control of the "Watch" Committee (see p. 56). It is otherwise in the metropolis—except in the square mile of the old City, where the Corporation supports and manages its own police force.

"Police London," i.e. the Metropolitan Police Area, is—as will be remembered—the greatest of the many Londons of which we spoke on p. 251. To patrol this large area of nearly 700 square miles is the duty of the Metropolitan Police whose headquarters are at New Scotland Yard.

The government of the Force is vested in a Commissioner, appointed by and under the control of the Home Secretary. Differing from Borough or County Police Forces, the Metropolitan Police can be drafted by the Home Secretary, in times of need, to any part of the country where the local police are insufficient for the work in hand.

The Force is distributed into Divisions A to Y, each patrolling a particular portion of the police area. Other divisions are in charge of the dockyards at Woolwich, Portsmouth, Devonport, Chatham, and Pembroke. The "Thames Police," who form a separate Division of the Metropolitan Police, are selected principally from sailors. Their sole work is to patrol the river, which they do in boats or motor launches.

### PORT OF LONDON AUTHORITY

The river Thames holds the secret of London's greatness. Let us for a moment, therefore, consider the chief authority which controls this greatest and richest highway of commerce in the whole world.

The most important stretch of the Thames, from Teddington Lock down to the mouth of the river, some 69 miles in length, is under the care of the Port of London Authority—a body set up by Parliament as recently as 1909, to take over the docks and warehouses (formerly worked by private companies) and the general management of the port and river.

Great dock and storage extensions have been effected by the Port Authority, as also the deepening of the river so as to accommodate the very large steamers of the present day.

It is a matter of interest to the whole nation that the Thames should be maintained as the premier port of the world, and the Port of London Authority, in whose hands this duty is now placed, are fully determined, not only to preserve, but also to augment the ancient fame of the river.

### THE THAMES CONSERVANCY

Up to 1909, the Board here named was the chief ruler over the river. But since the establishment of the Port of London Authority the duties of the Thames Conservancy are confined to the upper reaches between Cricklade and Teddington. Over this portion of the river the Conservancy regulates the navigation, the weirs, registration of boats, prevention of pollution, protection of fisheries, etc.

The control of the Lee, which flows into the Thames at Blackwall, and has a navigable waterway of about 50 miles, is in the hands of yet another Board known as the Lee Conservancy, which performs for that river, duties similar to those undertaken on the main stream by the Thames Conservancy.

The prevention of pollution of the waters of both rivers is highly necessary in the interests of public health, inasmuch as London derives the largest proportion of her water supply from these two sources.

### TOO MANY COUNCILS

And now if you care to make a list of the municipal authorities briefly described in the preceding pages, you may be surprised at their number; and you may probably come to the conclusion that the metropolis is over-supplied with Councils and Boards. What, then, would you say of Outer London (see p. 251) in which are to be

found some further 142 Local Authorities, all empowered to dip into the pockets of the ratepayers?

Probably you will agree that London suffers from an excess of municipal bodies—all of them, of course, having their separate offices, clerks, inspectors, etc.—and that there is urgent need for a reduction in their number and for greater simplicity in the local government of the Capital City of the Empire.

The government of any city should be such as its inhabitants can easily understand. At present, the average Londoner is unable to comprehend the municipal administration of his city. He is dismayed by the multiplicity of Authorities and bewildered by the intricacy of their relation one to another. Much of the lack of interest displayed by Londoners towards their municipal government is due to this inability to follow its workings. Some process of simplification that would render London's system of government intelligible to the ordinary citizen is therefore to be desired.

It seems absurd for the local government of Outer London (see p. 251) to have no organic connection with that of the metropolis. "Outer London," in spite of its artificial boundaries, forms an integral part of the Capital. The dwellers there have common interests with the rest of London. The towns and townlets in the belt just outside the metropolis are linked together and to London by innumerable ties. Their industries depend on London. A vast number of their inhabitants come daily into London to earn their living. The railways, tramways, bus routes, are all planned to converge upon London. Their main drainage system and water supply are generally the same as those of the metropolis. In short, these outlying districts are as much a part of London as the fingers are part of the body.

Is it unreasonable, therefore, to suggest that their *chief* municipal services (e.g. education, maintenance of highways, main drainage systems, tramways, water, gas, and electricity supply, and relief of the poor) should be brought into harmony and controlled by some Central Council?

How, for instance, can any common line of action or common standard of poor relief be secured, when 50 Boards of Guardians act independently in 50 separate Unions as at present? How can any uniform policy of road-maintenance be guaranteed when there are more than 100 Authorities charged with oversight of the highways in Greater London? Or how, again, can equal educational advantages be ensured over the whole London area until the schools are placed under a Central Authority?

In another matter of great and growing importance, viz. town-planning, London would also benefit from some form of central control which would prevent the erection in the suburbs of thousands of gardenless houses, crowded together in narrow streets which in the future are not unlikely to develop into slum areas.

Any proposals for improving the municipal administration of London ought, however, to be framed so as to recognise the diversity of her local needs. London is so huge that Local Councils will always be wanted as well as a great Central Council—the latter to control the greater services above mentioned, the former to take charge of the smaller and purely local affairs.

Here we must leave the matter, as the subject is altogether too controversial for discussion in a small text-book, and the foregoing paragraphs must be viewed simply as furnishing food for thought and discussion, and not in any way as laying down the lines upon which the development of London's internal government ought to proceed.

London's government will be what her citizens make it—either good or bad.

Let each young Londoner, therefore, strive to become a good citizen as well as a good patriot. The endeavour to promote the efficient government of the city in which we live, is as essential to the welfare of our country as the wider patriotism which has of late been so magnificently exhibited by the youth of our nation. In the hope that a stronger local patriotism and a deeper personal interest in the civic institutions of their glorious city may be evoked in the rising generation of Londoners, the present chapter has been added to this volume on English Citizenship. We will conclude it with a passage from the memorable speech of His Majesty King George V. when on July 17, 1922, he opened the new Hall of the London County Council. Alluding to "the development of that sense of citizenship so difficult and yet so imperative to cultivate," His Majesty uttered the following impressive words:—

*"The local government of every great city is a municipal problem most difficult of solution. Opinions differ as to the machinery of local administration and the best methods of obtaining the best results, but it is universally recognised that the root of all good government is a live and active civic spirit."*

#### QUESTIONS FOR DISCUSSION AND RESEARCH

1. How can you distinguish by his uniform a member of the City Police from a member of the Metropolitan Police?
2. Name the bridges over and tunnels under the Thames from Kew to Gravesend. Which of these belong to and are kept up by the City Corporation?
3. What authority is there for saying that Panyer Alley off Pater-noster Row is the highest ground in the City?
4. Give some account of the New River. To whom does it owe its construction and where will you find his statue?
5. Where was Hungerford Market mentioned in Chap. 35 of "David Copperfield;" where also stood Tyburn Gallows, and Temple Bar?

6. What connection had Chaucer with the City of London ?
7. Name any of Wren's churches in the City, also any that survived the Great Fire.
8. Locate Bread Street and say with what famous poet it is associated. In what City church is this same poet buried ?
9. In what churches are buried Miles Coverdale, Rahere, Sir Walter Raleigh, Judge Jeffreys, Samuel Pepys, and Samuel Richardson (founder of the English domestic novel) ?
10. Where is Nelson's tomb, and where the coat he wore at Trafalgar ?
11. Where is "London Stone" and what theories are propounded as to its origin ?
12. In what museum in the City—open free to visitors—are deposited most of the "finds" made of the ancient Roman Londinium ?
13. Explain the letters L.S.B. found on some of the older elementary-school buildings in London.
14. Where is the Guildhall, and what valuable educational facilities does it offer free to all-comers ?

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## **MEMORANDA**

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## THE HIGHEST IDEAL OF CITIZENSHIP

1. *Domine, quis habitabit in tabernaculo tuo? aut quis requiescet in monte sacro tuo?*
2. *Qui ingreditur sine macula, et operatur justitiam:*
3. *Qui loquitur veritatem in corde suo, qui non egit dolum in lingua sua:*
4. *Nec fecit proximo suo malum et opprobrium non accepit adversus proximos suos.*
5. *Ad nihilum deductus est in conspectu ejus malignus: timentes autem Dominum glorificat:*
6. *Qui jurat proximo suo et non decipit, qui pecuniam suam non dedit ad usuram, et munera super innocentem non accepit.*
7. *Qui facit haec non movebitur in æternum.*

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